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Security Council

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Letter dated 25 May 2012 from the Secretary-General to the President of the Security Council

Further to the request contained in paragraph 13 of Security Council resolution 2043 (2012), I wish to update the Council on the implementation of the resolution, since the 8 May 2012 briefings by the Joint Special Envoy of the United Nations and the League of Arab States for Syria, Kofi A. Annan, and the Under-Secretary-General for Peacekeeping Operations, Hervé Ladsous.

Under the six-point plan, the Syrian authorities are obliged under point (2) to cease troop movements towards population centres, cease the use of heavy weapons in such centres and pull back military concentrations. The Security Council, in resolutions 2042 (2012) and 2043 (2012) further reiterated that the Government must implement visibly its commitments in their entirety and underscored the importance for it to withdraw its troops and heavy weapons from population centres to its barracks or temporary deployment places to facilitate a sustained cessation of violence. The opposition is also obliged to cease all armed violence in all its forms. In response to the call of the Security Council, both sides must also respect relevant provisions of the Preliminary Understanding.

The cessation of violence by all parties must include ending the human rights abuses that have characterized the fighting. In addition, the Government has obligations under the six-point plan to facilitate humanitarian access, provide access to and release persons arbitrarily detained, provide visas to journalists and allow their free movement, and respect freedom of association and the right to protest peacefully.

The United Nations Supervision Mission in the Syrian Arab Republic (UNSMIS) continues to build its capacity while working in keeping with its mandate to monitor a cessation of armed violence in all its forms by all parties and to monitor and support the full implementation of the six-point plan. Despite the challenges, and the security risks facing the mission, the deployment of UNSMIS is proceeding expeditiously. The deployment of the military component is essentially completed, thanks to the efforts of the Departments of Peacekeeping Operations and Field Support, and the generous and timely contributions of troop-contributing countries. The arrival of civilian staff is also continuing, with additional substantive staff still being required for the Mission to reach its full capacity for monitoring and support.

There has been some reduction in the intensity of fighting in areas where UNSMIS has established its presence. The engagement of observers at the local

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level appears to be having a calming effect, while also allowing initial engagement with parties on the ground. That said, the overall level of violence in the country remains quite high.

Measured against the commitments embodied in the six-point plan, the overall situation in Syria remains extremely serious, and there has been only small progress on some issues. There is a continuing crisis on the ground, which is characterized by regular violence, deteriorating humanitarian conditions, human rights violations and continued political confrontation. Daily violent incidents continue across the country, leading to a large number of deaths and injuries, albeit at a lower scale than immediately before 12 April 2012. The Syrian army has not ceased the use of, or pulled back, its heavy weapons in many areas. There has also been an alarming number of explosions in population centres, including acts of terrorism.

Cessation of armed violence in all its forms

At the outset, I would note that UNSMIS has observed the considerable physical destruction resulting from conflict in many locations, with some opposition areas heavily damaged. UNSMIS has also observed that significant parts of some cities appear to be under the de facto control of opposition elements. There is an overall atmosphere of tension, mistrust and fear. Both the Office of the Joint Special Envoy and the Mission receive daily communications from the Government of the Syrian Arab Republic, as well as opposition groups, detailing alleged violations of the cessation of violence. The size and complexity of the country, the range of potential violations, the differing local contexts and the precarious security environment make it difficult to gain a full and complete picture of the situation on the ground.

Since 8 May 2012, UNSMIS has noted in areas where observers are present a reduction in the use and the deployment of heavy weapons and in the frequency and the intensity of armed clashes. However, UNSMIS has also observed continued Syrian army troop concentrations and heavy weapons in population centres. Examples of these include a company size convoy of Syrian armed forces seen by UNSMIS observers entering Damascus and another company observed in Dara'a on 11 May 2012. On numerous occasions, UNSMIS has observed armoured personnel carriers and, less frequently, tanks.

On occasion, UNSMIS personnel have been able to broker local level understandings to de-escalate situations and in some areas have seen positive steps by the parties to address violations when observed and reported to them. On 15 May 2012, UNSMIS organized a ceasefire between the Syrian army and opposition forces in neighbourhoods of Deir ez-Zor, and the Government agreed to withdraw armoured personnel carriers. On 21 May 2012, UNSMIS negotiated an understanding between the parties in Khan Sheikhoun that saw the Government release two detainees and recover a burned-out tank. However, on other occasions observers arrived in the aftermath of an incident or could not mediate a ceasefire.

Among the violations during the reporting period, UNSMIS observed heavy fighting between the Syrian army and the opposition in Talbisah and al-Rastan, where Government forces were observed using tanks, armoured personnel carriers and rocket-propelled grenades on 8 May 2012, and there were reports of continuing fighting during the following week. UNSMIS observers reported hearing small arms and heavy weapons fire and explosions regularly, in all of their locations,

particularly at night. The intensity of such activities has been uneven. For example, on 18 May 2012, observers in Idlib reported attacks on Government installations. Also in Idlib, intense exchange of fire between Government forces and armed personnel were heard 500 metres north of the UNSMIS team site when a Syrian military position was attacked. During the morning hours of 19 May 2012, observers in Homs reported hearing 82 explosions and sporadic gunfire. When visiting hospitals, UNSMIS has observed gunshot and blast victims, among both civilians and members of the security forces.

On several occasions, UNSMIS has heard the sound or seen evidence of shelling in population centres. In meetings with UNSMIS staff, armed opposition groups said that the Government was carrying out heavy shelling at night, outside the view of military observers. The Government has countered that armed groups are provoking Government forces by firing at them, and that it will continue to respond. It has also reported the smuggling of weapons across its borders and other criminal activity, including killings and abductions of members of the security forces. The Government reportedly continues to receive military equipment and ammunition from other countries, and there are also reports of weapons being sent to opposition forces.

UNSMIS has reported that opposition representatives relate an ongoing fear of reprisals for talking to UNSMIS, which is a matter of serious concern. It is of utmost importance that there be no such intimidation. On 9 May 2012, in Dara'a, an explosive device detonated next to a house where five minutes earlier an UNSMIS patrol had met Free Syrian Army representatives. On 19 May 2012, opposition personnel in the village of al-Shamas in Homs reported to observers that they were told that if they participated in demonstrations or spoke to the United Nations, they would be killed or arrested with their families. They also showed pictures of an assault that occurred earlier in which they claimed the Syrian army had killed 20 people, injured many and detained 300.

In areas dominated by the opposition, UNSMIS interactions with the people and representatives of opposition groups have been affected by the level of frustration of local populations, the diffuse structure of the opposition groups and fear of potential reprisals. The frustration of the local population has taken the form of threats against UNSMIS observers, damage to vehicles and restrictions of movement by the crowd. At the same time, much of the population, even if voicing criticism and concerns, appears to welcome the presence of United Nations observers.

There has been an increase in the number of bombings, most notably in Damascus, Hama, Aleppo, Idlib and Deir ez-Zor. This included twin bombings on 10 May 2012 in Damascus, when two vehicle-borne improvised explosive devices estimated to weigh over 1,000 kg each were detonated in proximity to Government security installations. The sophistication and the size of the bombs point to a high level of expertise, which may indicate the involvement of established terrorist groups. The Government has asserted that such groups are active in the country, as have some opposition groups. Al-Nusra Front has claimed responsibility for at least six of the recent bombings.

The volatile security situation has also affected the Mission staff. Between 9 and 19 May 2012, a number of incidents occurred near UNSMIS convoys. On 15 May 2012, in Khan Sheikhoun in Idlib Governorate, a bomb explosion and direct fire struck an UNSMIS convoy of four vehicles, damaging three. There were no

casualties, but one vehicle was lost until its recovery on 21 May 2012. On another occasion there was an explosion 30 metres from one of the cars. On 19 May 2012, UNSMIS observers visited the site of a large explosion located 500 metres from the Deir ez-Zor UNSMIS team site. The blast, which targeted a military intelligence headquarters, was allegedly caused by a suicide bomber and resulted in 6 deaths and 41 injuries. On 20 May 2012, a small improvised explosive device exploded in Damascus approximately 150 metres from a United Nations convoy. On 21 May 2012, two improvised explosive devices exploded in the vicinity of UNSMIS observers while escorting a Syrian army unit during the recovery of a destroyed tank in Damascus. UNSMIS also had its vehicles stoned in al-Damyar, near Damascus, and on several occasions small arms fire struck UNSMIS convoys. While it remains unclear whether UNSMIS convoys were deliberately targeted, those incidents underline the precarious security context in which the Mission operates. The Mission remains vigilant and is constantly assessing the security situation.

There are continuing reports of a stepped-up security crackdown by the authorities that has led to massive violations of human rights by Government forces and pro-Government militias, including arbitrary arrests, torture, enforced disappearance and summary execution of activists, opponents and defectors. I would like to call your attention to the latest update released on 24 May 2012 by the Independent International Commission of Inquiry on Syria. UNSMIS is investigating allegations regarding 21 civilians having been killed on 14 May 2012 in Asammas, near Homs, and reports of hundreds of persons detained during that operation, which was carried out jointly by Government forces and supportive armed militias. UNSMIS has informed local authorities. There are also reports of human rights violations by the opposition, on a lesser scale, but including instances of arbitrary detentions and summary executions of Government forces and other pro-Government elements.

Access to and release of detainees

The Government of the Syrian Arab Republic is under an obligation to provide full access to all arbitrarily detained persons and to intensify the scale and the pace of their release. There are continuing reports that thousands of Syrians are being detained in a network of Government-run facilities of different kinds. The issue of arbitrary detention is a central grievance raised in many of the UNSMIS consultations with opposition groups, where it is often strongly emphasized as a key concern within communities affected by violence.

UNSMIS has received many reports from civilians of family members arrested about whom they have no information. UNSMIS and the Office of the Joint Special Envoy have also received several lists of detainees from opposition and human rights groups. The detainees reportedly include a large number of persons who are human rights and political activists not engaged in armed fighting, as well as vulnerable persons. I would note here the statement made by the Committee against Torture on 16 May 2012 in relation to the Syrian Arab Republic.

UNSMIS is in the process of engaging the Government and liaising with various actors, including the International Committee of the Red Cross (ICRC), on this issue, but systematic access to detainees or sites where they are held has not been obtained. ICRC began a nine-day visit to Aleppo Central Prison on 13 May 2012.

The Government reported on 16 May 2012 the release of 250 detainees who were not involved in violent activities, following the release of 265 detainees earlier in the month. UNSMIS is in the process of obtaining the list of those released. This is only a very small portion of the people reportedly detained over the past 15 months. The Government has also informed the Joint Special Envoy of amnesties granted to several hundred persons who had turned themselves in, surrendered their weapons and given undertakings as to their future conduct.

The pace and the scale of access to, and release of, detainees is unacceptable, given the commitment of the Government under its international obligations and the six-point proposal. Access to all detention facilities and information on detainees is essential. I call on the Government of the Syrian Arab Republic and its law enforcement agencies, the judiciary and prison authorities to provide relevant information to the Mission and other relevant organizations on detainees and access to them. I also call upon the Government to expedite the release of arbitrarily detained persons, which is a key priority the Joint Special Envoy has consistently underscored to the Syrian authorities. Other groups should also release those deprived of their freedom under their control.

Entry and freedom of movement for journalists

There has been some, but not enough, improvement in terms of entry and freedom of movement of journalists in the Syrian Arab Republic. The Joint Special Envoy has been informed of a total of 166 international journalists who had received visas since the Syrian Government's agreement to the six-point plan. However, the Government still requires that journalists seek specific permission in advance for in-country travel, which is often not forthcoming. They are often only permitted short stays that do not facilitate in-depth reporting. UNSMIS was also informed by journalists that the opposition had threatened a Russian journalist in Al Mastoumah.

Respect for freedom of assembly and peaceful protest

The obligation of the Government of the Syrian Arab Republic to respect freedom of association and the right to demonstrate peacefully is clearly not being observed. While UNSMIS has observed protests on several occasions during patrols, they are clearly not being carried out with the agreement of the Government. When UNSMIS personnel visited Aleppo University on 9 and 17 May 2012, there were student demonstrations. Credible information indicates that, after the observers left on 9 May 2012, Government and irregular elements fired tear gas and live ammunition in the air, raided the campus and killed between 2 and 5 students, in addition to arresting up to 200. There were also reports of live fire and arrests of protesters by security forces on 17 May 2012.

While demonstrations are carried out in many other parts of the country, many have reportedly been broken up with the use of live ammunition and lethal force and the arbitrary arrests of protestors. It is clear that the broad context of intimidation and human rights violations does not constitute an environment in which citizens can express their opinions or demonstrate freely.

Humanitarian access and assistance

It is urgent that humanitarian relief reaches all who need it, and the Government is obligated to ensure timely provision of humanitarian assistance to all areas affected by the fighting. As local resources are depleted, living conditions for the majority of Syrians are deteriorating; the local solidarity networks are at risk of becoming exhausted; and basic items, such as bread, milk and medicine, are lacking in some areas. The fighting has caused significant displacement within the country and refugee flows to neighbouring States. The number of Syrians in need of some form of humanitarian assistance, currently estimated at 1 million, may well increase if the crisis continues.

The efforts exerted in extremely difficult circumstances by humanitarian organizations on the ground, particularly the Syrian Arab Red Crescent, are considerable. After consultations and agreement with the Government, United Nations agencies are also scaling up activities in preparation for providing additional support. The World Food Programme now reaches 250,000 people monthly through the Syrian Arab Red Crescent. United Nations agencies are also distributing non-food items and providing health and community services. Assistance has been provided to 12,000 people in need in rural Damascus. The Government has also stated that it is willing to commit substantial financial resources to humanitarian and reconstruction activities in areas damaged or destroyed.

However, existing needs, corroborated by the observations made by military observers and civilian staff in areas directly affected by the conflict, remain much higher than the current response. The strengthening of humanitarian operations and the delivery of vital basic services are urgently required to meet such needs.

Agreement has now been reached with the Government that the United Nations humanitarian agencies can deploy humanitarian staff in branches of the Syrian Arab Red Crescent in Deir ez-Zor, Dara'a, Homs and Idlib. Agreement has also been reached that a number of national and international NGOs will be part of the relief efforts. While welcome, these initial agreements are yet to be translated into action. I urge that these steps be fully implemented without delay. I also stress that this is only the first stage of expanding access and that it still falls short of my expectation for unhindered humanitarian access. I count on the continued and additional support of Member States to enable the scaling up of efforts by all relevant United Nations humanitarian agencies.

I wish to thank countries neighbouring the Syrian Arab Republic for their assistance to the Syrian refugees. It is essential that borders be kept open. The Office of the United Nations High Commissioner for Refugees has now registered 60,928 Syrian refugees in Iraq, Jordan, Lebanon and Turkey. The organization is supporting the Governments of these countries to address the needs of these refugees and will continue to increase assistance as required by the continuing influx of displaced populations.

Deployment and operations of the United Nations Supervision Mission in the Syrian Arab Republic

UNSMIS strength continues to increase rapidly. As at 25 May 2012, the Department of Peacekeeping Operations had received nominations of military

observers from 43 Member States. As at the same date, UNSMIS comprised 271 military observers and 81 civilian staff. The Mission is expected to attain full military strength before the end of the month.

The Government has cooperated to support the establishment of the Mission, through senior level support, the establishment of systems for administrative and visa processing, and security coverage. Nonetheless, some military observers and civilian staff are yet to receive visas. In accordance with paragraph 7 of Security Council resolution 2043 (2012), the Department of Peacekeeping Operations delivered a draft status of mission agreement to the Permanent Mission of the Syrian Arab Republic to the United Nations on 10 May 2012. Efforts also continue to build on the Preliminary Understanding signed on 19 April 2012, and to establish a final agreed protocol between the Government and the United Nations. The issue of the use of independent air assets remains under discussion. It is also important that the Syrian authorities ensure entry of all communication equipment for UNSMIS, which is essential for mission security.

UNSMIS now occupies a fixed headquarters in Damascus and has established seven planned team sites (Aleppo, Dara'a, Deir ez-Zor, Hama, Homs, Idlib and Rif Damascus). With its increased numbers, the Mission has a greater capacity to patrol, monitor and report, and to make specific interventions. UNSMIS, through its headquarters and its observer teams, has established contacts with the Government and its security forces at all levels, including the provincial level, with the opposition, both armed and political wings, and with the local population in those areas where the Mission has access. UNSMIS has also developed a mechanism for reporting to the parties incidents it observes and violations that the Government and opposition do not rectify following notification.

UNSMIS will continue to build up its civilian and military personnel until it reaches mandated levels, and will also look to establish additional team locations in areas of need. Engagement with all parties will continue and expand at both the national and local levels through the promotion of dialogue, the building of trust and the establishment of coordination and consultation mechanisms on the implementation of the six-point plan. Such linkages have proved vital in the de-escalation of violent incidents and avoidance of conflict. They play a key role in ensuring the safety and security of UNSMIS personnel.

In the meantime, the enlarged military and civilian presence on the ground is expected to generate additional visibility and strengthen reporting capacities. This will serve to present a more timely, clear and accurate picture of the status of implementation of the Preliminary Understanding and the six-point plan at both the local and national levels.

The Under-Secretary-General for Peacekeeping Operations visited UNSMIS from 18 to 22 May 2012 to evaluate progress. The trip allowed Mr. Ladsous to see the status of deployment of military observers and civilian staff, and to engage directly with personnel working on team sites in Homs and the Rif Damascus area. The challenging conditions being faced by UNSMIS in the field were apparent, as was the scale of damage that has occurred in areas where conflict has taken place, and the difficulties confronting civilians living in the shadow of violence.

The Under-Secretary-General met with representatives of the Government, including the Minister for Foreign Affairs and Minister of Defence, and took the

opportunity to emphasize the role of UNSMIS, the responsibilities of the Government to ensure the success of its mandate, and the requirement for the full implementation of all aspects of the six-point plan. He also met with representatives of the opposition in Damascus and Homs, where he reinforced the need for all parties to ensure the cessation of armed violence, to seek a political solution and to ensure the safety of our personnel.

Political process

The Joint Special Envoy has continued his efforts at the national, regional and international levels. I have also remained in close contact with many regional and international leaders, including the League of Arab States, in a constant effort to strengthen the cohesion of the international community in finding effective and peaceful ways to stop the violence and facilitate a genuine political solution that meets the legitimate aspirations of the Syrian people.

At the heart of the Syrian crisis are extensive human rights violations and denial of the legitimate aspirations of the Syrian people. In this context, real progress in implementing all elements of the six-point plan is essential, if confidence in the possibility of a credible political process is to be created.

The Joint Special Envoy, his deputies and UNSMIS have continued to engage a range of Syrian interlocutors and key external actors whose support will be crucial for the process and its outcome. There is growing impatience with the status quo, but also a lack of confidence in the possibility of genuine transformation. While many fear the implications of further militarization of the conflict, some have doubts that peaceful change is possible. Political engagement with all stakeholders on the way forward is all the more important to identify issues on which common ground can be found. A truly inclusive process should include all components of Syrian society, including those who are not engaged in the present confrontation, but may have a contribution to make when the time comes to hold an inclusive national dialogue.

The Deputy Joint Special Envoy of the United Nations and the League of Arab States for Syria, Nasser Al-Kidwa, has continued the efforts to engage a broad range of the Syrian opposition towards helping them become more inclusive and representative in their structure and decision-making. The meeting of various parties, groups and political figures, which was called for by the League of Arab States on 16 and 17 May 2012, was postponed after the Syrian National Council and the National Coordination Committee for Democratic Change indicated that they would not participate. That was a missed opportunity for the opposition to come together and discuss ways of developing a framework that would facilitate a political process. Subsequent consultations with stakeholders highlighted the importance of continuing efforts to convene a meeting at a later stage. As the League of Arab States considers new dates for the meeting, all should impress on the opposition the importance of intensifying their efforts to become cohesive both organizationally and politically, so that it can positively and effectively engage in the political process.

The Joint Special Envoy is preparing a visit to Damascus to discuss with President Assad and his team, and a range of other relevant interlocutors, including from the opposition, the need for urgent action to implement the six-point plan and the way forward on the political process. The Deputy Joint Special Envoy of the

United Nations and the League of Arab States for Syria, Jean-Marie Guéhenno, visited the Syrian Arab Republic between 18 and 24 May 2012 in advance of the Joint Special Envoy's visit, meeting with representatives of the Government, including the Minister for Foreign Affairs, and a wide range of interlocutors, including in visits to Homs and al-Rastan.

Observations

I commend the efforts of the Joint Special Envoy and the Head of Mission of UNSMIS, as well as the brave commitment of the staff on the ground. Their efforts, backed by the Security Council and the entire international community, are offering the Syrian people and the region a clear alternative to the deepening crisis on the ground, and to the potential for the Syrian Arab Republic to descend into a full scale civil war.

While the international effort is making some impact on the ground, unacceptable levels of violence and abuses continue, in violation of resolution 2043 (2012) and the six-point plan. The situation poses serious security challenges to the implementation of the mandate of UNSMIS, as well as risks for our observers, and grave risks for the Syrian people. Most elements of the six-point proposal have yet to be implemented.

This is a source of grave concern, and underscores the need to carefully consider the United Nations presence and next steps, taking into account the volatile and evolving security environment. There is a need for continuous analysis of the activities of the Mission and its progress in monitoring and supporting the implementation of the six-point plan, in order to focus and direct UNSMIS adequately in implementing its mandated tasks.

The essential commitment of the parties, embodied in their acceptance of the six-point plan, is to turn away from violence and towards a shared political future achieved through a political process. Continued extensive human rights violations, including arbitrary detention, by the Government undermine efforts to achieve this goal. I call in the first instance on the Government to implement in full all its obligations under the six-point plan, particularly at this juncture as regards a cessation of violence, immediate action regarding humanitarian access, and respect for human rights, including the release of detainees. No credible political process can take hold if the perception exists in a significant part of the population that its basic human rights are abused and if they continue to be under threat of arbitrary detention or worse. I also call on all elements of the opposition to implement in full their obligations to cease violence and respect human rights.

I am very concerned at the large-scale bombings that have caused significant casualties and a heightened sense of insecurity about the future among an already fearful population. This threat must be combated in a manner that ensures the security of the population and respect for their human rights. It is all the more imperative that all sides to the conflict cease any form of violence in order to re-establish law and order, thus limiting any space for spoilers to take advantage of the situation. The Government and the opposition must clearly denounce such acts and distance themselves from such tactics.

Encouragement to any party in the Syrian Arab Republic to pursue objectives through the use of violence is inconsistent with our common effort. Those who may

contemplate supporting any side with weapons, military training or other military assistance must reconsider such options to enable a sustained cessation of all forms of violence. It is essential that all parties, and those that may be providing them with support, act to halt the further repression of the population and to prevent the further militarization of the conflict.

I wish to appeal to all members of the international community to fully support and contribute to the efforts under way. The Joint Special Envoy values the support and the counsel of a wide variety of interlocutors and recognizes the critical role of all States in the region. It is particularly important that States with influence over the parties exercise that influence towards our common goals.

The genuine commitment of the parties and the strong support of all concerned is essential if we are to end the violence and abuses, bring humanitarian relief, and move to a political process that can meet the long-denied, legitimate aspirations of the suffering people of the Syrian Arab Republic.

I should be grateful if you could bring the present letter urgently to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Note by the President of the Security Council

At its 6335th meeting, held on 9 June 2010 in connection with the item entitled "Non-proliferation", the Security Council adopted resolution 1929 (2010).

In paragraph 4 of the resolution, the Security Council requested the Director General of the International Atomic Energy Agency to communicate to the Security Council all his reports on the application of safeguards in the Islamic Republic of Iran.

Accordingly, the President herewith circulates the report of the Director General dated 25 May 2012 (see annex).

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Annex

Letter dated 25 May 2012 from the Director General of the International Atomic Energy Agency addressed to the President of the Security Council

I have the honour to enclose herewith the report requested by the Security Council in its resolution 1929 (2010), which I have submitted today to the Board of Governors of the International Atomic Energy Agency (see enclosure).

I should be grateful if you would bring this letter and the enclosed report to the attention of all members of the Security Council.

(*Signed*) Yukiya **Amano**

Enclosure*

Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions in the Islamic Republic of Iran

Report by the Director General

A. Introduction

1. This report of the Director General to the Board of Governors and, in parallel, to the Security Council, is on the implementation of the NPT Safeguards Agreement[1] and relevant provisions of Security Council resolutions in the Islamic Republic of Iran (Iran).

2. The Security Council has affirmed that the steps required by the Board of Governors in its resolutions[2] are binding on Iran.[3] The relevant provisions of the aforementioned Security Council resolutions were adopted under Chapter VII of the United Nations Charter, and are mandatory, in accordance with the terms of those resolutions.[4]

3. By virtue of its Relationship Agreement with the United Nations,[5] the Agency is required to cooperate with the Security Council in the exercise of the Council's responsibility for the maintenance or restoration of international peace and security. All Member States of the United Nations agree to accept and carry out the decisions of the Security Council,[6] and in this respect, to take actions which are consistent with their obligations under the United Nations Charter.

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* Circulated to the Board of Governors of the International Atomic Energy Agency under the symbol GOV/2012/23.

[1] The Agreement between Iran and the Agency for the Application of Safeguards in Connection with the Treaty on the Non Proliferation of Nuclear Weapons (INFCIRC/214), which entered into force on 15 May 1974.

[2] The Board of Governors has adopted 11 resolutions in connection with the implementation of safeguards in Iran: GOV/2003/69 (12 September 2003); GOV/2003/81 (26 November 2003); GOV/2004/21 (13 March 2004); GOV/2004/49 (18 June 2004); GOV/2004/79 (18 September 2004); GOV/2004/90 (29 November 2004); GOV/2005/64 (11 August 2005); GOV/2005/77 (24 September 2005); GOV/2006/14 (4 February 2006); GOV/2009/82 (27 November 2009); and GOV/2011/69 (18 November 2011).

[3] In resolution 1929 (2010), the Security Council: affirmed, inter alia, that Iran shall, without further delay, take the steps required by the Board in GOV/2006/14 and GOV/2009/82; reaffirmed Iran's obligation to cooperate fully with the IAEA on all outstanding issues, particularly those which give rise to concerns about the possible military dimensions of the Iranian nuclear programme; decided that Iran shall, without delay, comply fully and without qualification with its Safeguards Agreement, including through the application of modified Code 3.1 of the Subsidiary Arrangements; and called upon Iran to act strictly in accordance with the provisions of its Additional Protocol and to ratify it promptly (operative paras 1-6).

[4] The United Nations Security Council has adopted the following resolutions on Iran: 1696 (2006); 1737 (2006); 1747 (2007); 1803 (2008); 1835 (2008); and 1929 (2010).

[5] The Agreement Governing the Relationship between the United Nations and the IAEA entered into force on 14 November 1957, following approval by the General Conference, upon recommendation of the Board of Governors, and approval by the General Assembly of the United Nations. It is reproduced in INFCIRC/11 (30 October 1959), Part I.A.

[6] The Charter of the United Nations, Article 25.

4. This report addresses developments since the last report (GOV/2012/9, 24 February 2012), as well as issues of longer standing. It focuses on those areas where Iran has not fully implemented its binding obligations, as the full implementation of these obligations is needed to establish international confidence in the exclusively peaceful nature of Iran's nuclear programme.

B. Clarification of Unresolved Issues

5. As previously reported, on 18 November 2011 the Board of Governors adopted resolution GOV/2011/69 in which, inter alia, it stressed that it was essential for Iran and the Agency to intensify their dialogue aimed at the urgent resolution of all outstanding substantive issues for the purpose of providing clarifications regarding those issues, including access to all relevant information, documentation, sites, material, and personnel in Iran. The Board also called on Iran to engage seriously and without preconditions in talks aimed at restoring international confidence in the exclusively peaceful nature of Iran's nuclear programme. In light of this, an Agency team visited Iran for two rounds of talks, in January and February 2012. During the talks: Iran and the Agency were unable to reach agreement on a structured approach[7] to the clarification of all outstanding issues related to Iran's nuclear programme; Iran provided an initial declaration[8] in which it dismissed the Agency's concerns; the Agency presented Iran with initial questions on Parchin and the foreign expert,[9] to which the Agency has yet to receive answers; and Iran stated that it was not able to grant access to the Parchin site.

6. The Director General informed the Board of Governors at its March 2012 meeting that the Agency would continue to address the Iran nuclear issue through dialogue and in a constructive spirit. Immediately following that meeting, further exchanges between the Agency and Iran took place to explore how to continue the talks.

7. Iran and the Agency held a third round of talks in Vienna on 14 and 15 May 2012, during which discussions continued on a structured approach to the clarification of all outstanding issues. Progress was made on a draft document focused on the issues outlined in the Annex to the Director General's November 2011 report. Issues related to the correctness and completeness of Iran's declarations, other than those included in the Annex to the November 2011 report, would be addressed separately. In response to the Agency's request for access to the Parchin site (see paragraph 42 below), Iran stated that such access would not be possible before agreement had been reached on a structured approach.

8. The Director General, in a letter dated 17 May 2012 to H.E. Mr. Saeed Jalili, Secretary of the Supreme National Security Council of Iran, stated that, in light of the progress made on agreeing a structured approach, the circumstances were now right for him to accept Iran's invitation to visit Iran. The Director General stated that

[7] This included issues to be addressed, initial actions and modalities. These modalities related, inter alia, to Iran's security concerns, ensuring confidentiality and ensuring that Iran's cooperation included provision of access for the Agency to all relevant information, documentation, sites, material and personnel in Iran.

[8] The initial declaration was in connection with the issues identified in Section C of the Annex to GOV/2011/65.

[9] As referred to in Section C of the Annex to GOV/2011/65.

the purpose of his visit would be to discuss issues of common interest and, in particular, to conclude the agreement under consideration on a structured approach. In a reply dated 18 May 2012, H.E. Mr. Ali Asghar Soltanieh, Ambassador and Resident Representative to the IAEA, informed the Director General of Iran's affirmative response regarding the visit.

9. On 21 May 2012, the Director General held meetings in Tehran with Mr. Jalili, H.E. Mr. Fereydoun Abbasi, Vice President of Iran and Head of the Atomic Energy Organization of Iran and H.E. Mr. Ali Akbar Salehi, Minister of Foreign Affairs of Iran. During the talks, a number of issues of mutual interest were discussed, in particular the clarification of issues relating to possible military dimensions to Iran's nuclear programme. During the meeting with Mr. Jalili, it was decided to agree on a structured approach. Although some differences between Iran and the Agency remained, on the document resulting from the talks on 14 and 15 May 2012, Mr. Jalili made clear that these were not obstacles to reaching agreement.

C. Facilities Declared under Iran's Safeguards Agreement

10. Under its Safeguards Agreement, Iran has declared to the Agency 16 nuclear facilities[10] and nine locations outside facilities where nuclear material is customarily used (LOFs).[11] Notwithstanding that certain of the activities being undertaken by Iran at some of the facilities are contrary to the relevant resolutions of the Board of Governors and the Security Council, as indicated below, the Agency continues to implement safeguards at these facilities and LOFs.

D. Enrichment Related Activities

11. Contrary to the relevant resolutions of the Board of Governors and the Security Council, Iran has not suspended its enrichment related activities in the declared facilities referred to below, all of which are under Agency safeguards. According to the latest figures available to the Agency, Iran has produced 6197 kg of UF_6 enriched up to 5% U-235 and 145.6 kg of UF_6 enriched up to 20% U-235 since it began production of such material.[12]

D.1. Natanz: Fuel Enrichment Plant and Pilot Fuel Enrichment Plant

12. **Fuel Enrichment Plant (FEP):** FEP is a centrifuge enrichment plant for the production of low enriched uranium (LEU) enriched up to 5% U-235, which was first brought into operation in 2007. It consists of two cascade halls: Production Hall A and Production Hall B. According to design information submitted by Iran, eight units are planned for Production Hall A, with 18 cascades in each unit. No detailed design information has yet been provided for Production Hall B.

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[10] Since the previous report to the Board (GOV/2012/9), Iran has declared one additional facility, the Fuel Plate Fabrication Plant (FPFP), as indicated in paragraph 38 below. This was the result of an administrative restructuring of ongoing activities that involved no physical changes to Iran's facilities.

[11] All of the LOFs are situated within hospitals.

[12] Some of this material has been further processed, as indicated later in the report.

13. As of 19 May 2012, 54 cascades had been installed in three of the eight units in Production Hall A, 52 of which were declared by Iran as being fed with UF_6. Whereas initially each installed cascade comprised 164 centrifuges, Iran subsequently modified 30 of the cascades to contain 174 centrifuges each. As of 19 May 2012, one additional cascade, also comprising 174 centrifuges, had been installed in a fourth unit in Production Hall A, although it had not been fed with UF_6.[13] Of the remaining 17 cascades in the fourth unit, 16 cascades each had 174 empty IR-1 centrifuge casings placed in position, and the other cascade was empty. All the centrifuges installed in Production Hall A are IR-1 machines. As of 19 May 2012, no centrifuges had been installed in the remaining four units, although preparatory installation work had been completed in one of the units, including the placement in position of empty IR-1 centrifuge casings in all 18 cascades, and was ongoing in the other three units. As of 19 May 2012, there had been no installation work in Production Hall B.

14. As previously reported,[14] the Agency has verified that, as of 16 October 2011, 55 683 kg of natural UF_6 had been fed into the cascades since the start of operations in February 2007, and a total of 4871 kg of UF_6 enriched up to 5% U-235 had been produced. Iran has estimated that, between 17 October 2011 and 11 May 2012, it produced 1326 kg of UF_6 enriched up to 5% U-235, which would result in a total production of 6197 kg of UF_6 enriched up to 5% U-235 since production began in February 2007. The nuclear material at FEP (including the feed, product and tails), as well as all installed cascades and the feed and withdrawal stations, are subject to Agency containment and surveillance.[15]

15. Based on the results of the analysis[16] of environmental samples taken at FEP since February 2007[17] and other verification activities, the Agency has concluded that the facility has operated as declared by Iran in the relevant Design Information Questionnaire (DIQ).

16. **Pilot Fuel Enrichment Plant (PFEP):** PFEP is a research and development (R&D) facility, and a pilot LEU production facility, which was first brought into operation in October 2003. It has a cascade hall that can accommodate six cascades, and is divided between an area designated for the production of LEU enriched up to 20% U-235 (Cascades 1 and 6) and an area designated for R&D (Cascades 2, 3, 4 and 5).

17. ***Production area:*** Iran first began feeding low enriched UF_6 into Cascade 1 on 9 February 2010, for the stated purpose of producing UF_6 enriched up to 20% U-235

[13] The 55 installed cascades contained 9330 centrifuges; the 52 cascades declared by Iran as being fed with UF_6 on that date contained 8818 centrifuges. Not all of the centrifuges in the cascades that were being fed with UF_6 may have been working.

[14] GOV/2012/9, para. 14.

[15] In line with normal safeguards practice, small amounts of nuclear material at the facility (e.g. some waste and samples) are not subject to containment and surveillance.

[16] Since the plant was first brought into operation, the Agency has taken a large number of environmental samples at FEP, the results of which have indicated a level of enrichment of uranium of less than 5% U-235. A small number of particles from samples taken in the cascade area continue to be found with enrichment levels of between 5% and 7.4% U-235, which are higher than the level stated in the Design Information Questionnaire (DIQ) for FEP. As noted in GOV/2010/46, paragraph 7, the Agency assesses that these results refer to a known technical phenomenon associated with the start up of centrifuge cascades.

[17] Results are available to the Agency for samples taken up to 18 December 2011.

for use in the manufacture of fuel for the Tehran Research Reactor (TRR).[18,19] Iran has subsequently stated that the purpose is also to produce fuel for the other research reactors it reportedly intends to build.[20] Since 13 July 2010, Iran has been feeding low enriched UF_6 into two interconnected cascades (Cascades 1 and 6), each of which consists of 164 IR-1 centrifuges.[21]

18. As previously reported,[22] the Agency has verified that, as of 13 September 2011, 720.8 kg of low enriched UF_6 produced at FEP had been fed into the cascades in the production area since the process began, and that a total of 73.7 kg of UF_6 enriched up to 20% U-235 had been produced. Iran has estimated that, between 14 September 2011 and 18 May 2012, a total of 269.5 kg of UF_6 enriched at FEP was fed into the two interconnected cascades at PFEP and that approximately 36.4 kg of UF_6 enriched up to 20% U-235 were produced. This would result in a total production of 110.1 kg of UF_6 enriched up to 20% U-235 at PFEP since production began in February 2010.

19. During the period 9-14 April 2012, the operator at PFEP blended approximately 1.6 kg of UF_6 enriched up to 20% U-235 with approximately 7.5 kg of natural UF_6. The product of this down-blending was put into four cylinders, each of which contained approximately 2.1 kg of UF_6 with an enrichment level of 1.5%, 2.4%, 4.6% and 4.7% U-235, respectively. During the same period, the Agency took samples of the UF_6 contained in each of the four cylinders and applied seals.

20. ***R&D area:*** In the area designated for Cascades 2 and 3, Iran has been intermittently feeding natural UF_6 into single machines, 10 machine cascades and 20 machine cascades of IR-1, IR-2m and IR-4 centrifuges. As previously reported,[23] Iran has informed the Agency of its intention to install three new types of centrifuge — IR-5, IR-6 and IR-6s — as single machines in Cascade 2. As of 18 May 2012, no such centrifuges had been installed. As of 6 May 2012, Iran had installed 129 IR-4 centrifuges in Cascade 4.[24] Since 1 March 2012, Iran has been intermittently feeding up to 104 of the centrifuges in Cascade 4 with natural UF_6. Since November 2011, Iran has been intermittently feeding the 164 IR-2m centrifuges in Cascade 5 with natural UF_6, although for a short period it intermittently fed this cascade with depleted UF_6 instead of natural UF_6.

21. Between 12 February 2012 and 18 May 2012, a total of approximately 178.8 kg of natural UF_6 and 11.4 kg of depleted UF_6 was fed into centrifuges in the R&D area, but no LEU was withdrawn as the product and the tails are recombined at the end of the process.

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[18] GOV/2010/28, para. 9.

[19] TRR is a 5 MW reactor which operates with 20% U-235 enriched fuel and is used for the irradiation of different types of targets and for research and training purposes.

[20] Mr. Abbasi reportedly made a statement to the effect that Iran plans to build four to five new reactors in the next few years in order to produce radioisotopes and carry out research ("Iran will not stop producing 20% enriched uranium", Tehran Times, 12 April 2011). He was also quoted by the Iranian Student's News Agency as saying "To provide fuel for these (new) reactors, we need to continue with the 20 per cent enrichment of uranium" ("Iran to build new nuclear research reactors — report", Reuters, 11 April 2011).

[21] GOV/2010/28, para. 9.

[22] GOV/2011/65, para. 15.

[23] GOV/2012/9, para. 20.

[24] Iran had previously indicated its intention to install two 164-centrifuge cascades (Cascades 4 and 5) in the R&D area (GOV/2011/7, para. 17).

22. Based on the results of the analysis of the environmental samples taken at PFEP[25] and other verification activities, the Agency has concluded that the facility has operated as declared by Iran in the relevant DIQ.

D.2. Fordow Fuel Enrichment Plant

23. The Fordow Fuel Enrichment Plant (FFEP) is, according to the DIQ of 18 January 2012,[26] a centrifuge enrichment plant for the production of UF_6 enriched up to 20% U-235 and the production of UF_6 enriched up to 5% U-235. The facility is being built to contain 16 cascades, equally divided between two units (Unit 1 and Unit 2), with a total of approximately 3,000 centrifuges.[27] The plant was first brought into operation in 2011.

24. As previously reported,[28] on 25 January 2012 Iran started feeding UF_6 enriched to 3.5% U-235 into a second set of two interconnected cascades in Unit 2. As of 9 May 2012, Iran had installed all 174 IR-1 centrifuges in each of the fifth and sixth cascades in Unit 2 and had installed 20 IR-1 centrifuges in a seventh cascade in Unit 2. As of 9 May 2012, in the rest of Unit 2 and all of Unit 1, empty IR-1 centrifuge casings had been placed in position and all of the piping had been installed.

25. In a letter dated 7 March 2012, the Agency requested that Iran provide the number and location of cascades at FFEP that would be dedicated to the production of LEU enriched up to 20% U-235. Iran replied, in a letter dated 2 April 2012, that, once the installation of cascades additional to the four currently installed had been completed, the Agency would be notified of "further development" in advance. In a letter dated 21 May 2012, the Agency requested that Iran provide information regarding the purpose for which the fifth and sixth cascades now installed at FFEP are to be used. Iran replied, in a letter dated 23 May 2012, that the installation of centrifuges in the other cascades in Unit 2 (Cascades 5-8) was yet to be completed and that "related utilities may need some months to get ready for commissioning". Iran also stated that the Agency would be notified about the production level of these cascades prior to their operation.

26. The Agency has verified that FFEP is being constructed according to the latest DIQ provided by Iran. As previously reported, Iran provided some information in 2011 regarding the initial timing of, and circumstances relating to, its decision to build FFEP at an existing defence establishment.[29] Nevertheless, additional information from Iran is still needed in connection with this facility, particularly in light of the difference between the original stated purpose of the facility and the purpose for which it is now being used.[30]

27. Iran has estimated that, between 14 December 2011, when feeding of the first set of two interconnected cascades began, and 13 May 2012, a total of 259 kg of

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[25] Results are available to the Agency for samples taken up to 21 November 2011.

[26] To date, Iran has provided the Agency with an initial DIQ and three revised DIQs (GOV/2012/9, para. 24).

[27] GOV/2009/74, para. 9.

[28] GOV/2012/9, para. 26.

[29] GOV/2011/54, para. 26.

[30] GOV/2009/74, para. 14.

UF_6 enriched up to 5% U-235 was fed into the two sets of interconnected cascades at FFEP and that approximately 35.5 kg of UF_6 enriched up to 20% U-235 were produced, of which 25.1 kg has been withdrawn from the process and verified by the Agency.

28. The results of analysis of environmental samples taken at FFEP on 15 February 2012 showed the presence of particles with enrichment levels of up to 27% U-235, which are higher than the level stated in the DIQ. In a letter dated 4 May 2012, the Agency requested that Iran provide an explanation for the presence of these particles. In its reply, dated 9 May 2012, Iran indicated that the production of such particles "above the target value" may happen for technical reasons beyond the operator's control. The Agency is assessing Iran's explanation and has requested further details. On 5 May 2012, the Agency took further environmental samples from the same location where the particles in question had been found. These samples are currently being analysed.

D.3. Other Enrichment Related Activities

29. The Agency is still awaiting a substantive response from Iran to Agency requests for further information in relation to announcements made by Iran concerning the construction of ten new uranium enrichment facilities, the sites for five of which, according to Iran, have been decided.[31] Iran has not provided information, as requested by the Agency in its letter of 18 August 2010, in connection with its announcement on 7 February 2010 that it possessed laser enrichment technology.[32] As a result of Iran's lack of cooperation on those issues, the Agency is unable to verify and report fully on these matters.

E. Reprocessing Activities

30. Pursuant to the relevant resolutions of the Board of Governors and the Security Council, Iran is obliged to suspend its reprocessing activities, including R&D.[33] In a letter to the Agency dated 15 February 2008, Iran stated that it "does not have reprocessing activities". In that context, the Agency has continued to monitor the use of hot cells at TRR and the Molybdenum, Iodine and Xenon Radioisotope Production (MIX) Facility.[34] The Agency carried out an inspection and design information verification (DIV) at TRR on 28 April 2012, and a DIV at the MIX Facility on 7 May 2012. It is only with respect to TRR, the MIX Facility and the other facilities to which the Agency has access that the Agency can confirm that there are no ongoing reprocessing related activities in Iran.

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[31] "Iran Specifies Location for 10 New Enrichment Sites", Fars News Agency, 16 August 2010.

[32] Cited on the website of the Presidency of the Islamic Republic of Iran, 7 February 2010, at http://www.president.ir/en/?ArtID=20255 .

[33] S/RES/1696 (2006), para. 2; S/RES/1737 (2006), para. 2; S/RES/1747 (2007), para. 1; S/RES/1803 (2008), para. 1; S/RES/1835 (2008), para. 4; S/RES/1929 (2010), para. 2.

[34] The MIX Facility is a hot cell complex for the separation of radiopharmaceutical isotopes from targets, including uranium, irradiated at TRR. The MIX Facility is not currently processing any uranium targets.

F. Heavy Water Related Projects

31. Contrary to the relevant resolutions of the Board of Governors and the Security Council, Iran has not suspended work on all heavy water related projects, including the construction of the heavy water moderated research reactor at Arak, the Iran Nuclear Research Reactor (IR-40 Reactor), which is under Agency safeguards.[35]

32. On 16 May 2012, the Agency carried out a DIV at the IR-40 Reactor at Arak and observed that, although construction of the facility was still ongoing, no major components had been installed since the previous DIV. Also on 16 May 2012, the operator informed the Agency that the operation of the IR-40 Reactor was planned to commence in the third quarter of 2013.

33. Since its visit to the Heavy Water Production Plant (HWPP) on 17 August 2011, the Agency has sent three letters to Iran requesting further access to HWPP. The Agency has yet to receive a reply to those letters. Iran also declined the Agency's request made during the aforementioned DIV for access to HWPP. As a result, the Agency is again relying on satellite imagery to monitor the status of HWPP. Based on recent images, the HWPP appears to be in operation. To date, Iran has not permitted the Agency to take samples from the heavy water stored at the Uranium Conversion Facility (UCF).[36]

G. Uranium Conversion and Fuel Fabrication

34. Although it is obliged to suspend all enrichment related activities and heavy water related projects, Iran is conducting a number of activities at UCF, the Fuel Manufacturing Plant (FMP) and the Fuel Plate Fabrication Plant (FPFP) at Esfahan which, as indicated below, are in contravention of those obligations, although the facilities are under Agency safeguards.

35. **Uranium Conversion Facility:** Between 5 and 9 March 2012, the Agency carried out a physical inventory verification (PIV) at UCF, the results of which are now being evaluated by the Agency. Iran has now ceased its R&D activities at UCF involving the conversion of UF_6 enriched up to 3.34% U-235 into UO_2.[37] The Agency has verified that Iran produced 24 kg of uranium in the form of UO_2 during these activities and that 13.6 kg of uranium in the form of UO_2 was subsequently transferred to FMP, where it was used to produce two fuel assemblies, each made of 12 fuel rods, for TRR. As of 13 May 2012, Iran had produced about 1500 kg of natural uranium in the form of UO_2. The Agency has verified that Iran has transferred 758.7 kg of uranium in the form of UO_2 to FMP.

36. On 22 April 2012, Iran introduced into the UCF process area 25 drums containing approximately 6,560 kg of domestically produced uranium ore concentrate (UOC), and 25 drums containing approximately 9,180 kg of UOC taken

[35] S/RES/1737 (2006), para. 2; S/RES/1747 (2007), para. 1; S/RES/1803 (2008), para. 1; S/RES/1835 (2008), para. 4; S/RES/1929 (2010), para. 2.

[36] GOV/2010/10, paras 20 and 21.

[37] GOV/2011/65, para. 34.

from Iran's stockpile of imported UOC.[38] Iran indicated that the UOC from these 50 drums would be mixed together and used for the production of natural UO_2.

37. **Fuel Manufacturing Plant:** On 12 May 2012, the Agency carried out a DIV and an inspection at FMP and confirmed that the manufacture of assemblies made of 12 fuel rods containing UO_2 enriched to 3.34% U 235 had ceased and that the manufacture of pellets for the IR-40 Reactor using natural UO_2 was ongoing. The Agency confirmed that the manufacture of dummy assemblies[39] for IR-40 was continuing.

38. **Fuel Plate Fabrication Plant:** In a letter dated 2 May 2012, Iran informed the Agency that it had decided to combine into one facility the activities involving the conversion of UF_6 enriched up to 20% U-235 into U_3O_8 and the manufacture of fuel assemblies made of fuel plates containing U_3O_8, which at that time were being performed at UCF and FMP, respectively. In the same letter, Iran also provided the initial DIQ for this facility, which it refers to as the Fuel Plate Fabrication Plant (FPFP). A safeguards approach for FPFP was subsequently agreed between the Agency and Iran and is now being implemented. Between the start of conversion activities on 17 December 2011 and 15 May 2012, Iran has fed into the process 43 kg of UF_6 enriched up to 20% U-235 and produced 14 kg of uranium enriched up to 20% U-235 in the form of U_3O_8. On 15 May 2012, the Agency carried out a DIV and an inspection at FPFP and verified two fuel plates and one standard fuel assembly containing 19 plates, all of which were subsequently transferred to TRR. On 20 May 2012, the Agency verified a second standard fuel assembly containing 19 plates prior to its transfer to TRR.

H. Possible Military Dimensions

39. Previous reports by the Director General have identified outstanding issues related to possible military dimensions to Iran's nuclear programme and actions required of Iran to resolve these.[40] Since 2002, the Agency has become increasingly concerned about the possible existence in Iran of undisclosed nuclear related activities involving military related organizations, including activities related to the development of a nuclear payload for a missile, about which the Agency has regularly received new information.

40. The Annex to the Director General's November 2011 report (GOV/2011/65) provided a detailed analysis of the information available to the Agency indicating that Iran has carried out activities that are relevant to the development of a nuclear explosive device. This information, which comes from a wide variety of independent sources, including from a number of Member States, from the Agency's own efforts and from information provided by Iran itself, is assessed by the Agency to be, overall, credible. The information indicates that, prior to the end of 2003 the activities took place under a structured programme; that some continued after 2003; and that some may still be ongoing.

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[38] GOV/2003/75, Annex I, para. 8.

[39] A dummy assembly is similar to a fuel assembly except that it contains non-nuclear material.

[40] GOV/2011/29, para. 35; GOV/2011/7, Attachment; GOV/2010/10, paras 40-45; GOV/2009/55, paras 18-25; GOV/2008/38, paras 14-21; GOV/2008/15, paras 14-25 and Annex; GOV/2008/4, paras 35-42; GOV/2011/65, paras 38-45 and Annex.

41. In resolution 1929 (2010), the Security Council reaffirmed Iran's obligations to take the steps required by the Board of Governors in its resolutions GOV/2006/14 and GOV/2009/82, and to cooperate fully with the Agency on all outstanding issues, particularly those which give rise to concerns about the possible military dimensions to Iran's nuclear programme, including by providing access without delay to all sites, equipment, persons and documents requested by the Agency.[41] In its resolution GOV/2011/69 of 18 November 2011, the Board of Governors, inter alia, expressed its deep and increasing concern about the unresolved issues regarding the Iranian nuclear programme, including those which need to be clarified to exclude the existence of possible military dimensions.

42. In a letter dated 2 May 2012, the Agency reiterated its request that Iran provide the Agency with early access to a specified location within the Parchin site.[42] In the same letter, the Agency informed Iran that, based on satellite imagery, at this location, where virtually no activity had been observed for a number of years, the buildings of interest to the Agency are now subject to extensive activities that could hamper the Agency's ability to undertake effective verification. Since November 2011, the Agency has obtained more information related to the issues associated with the Parchin site, which further corroborates the analysis contained in the Annex to the Director General's November 2011 report.

43. As previously reported,[43] during the second round of talks in Tehran and in response to the Agency's request, Iran provided the Agency with an initial declaration in connection with the issues identified in Section C of the Annex to the Director General's November 2011 report (GOV/2011/65). Iran's declaration dismissed the Agency's concerns in relation to the aforementioned issues, largely on the grounds that Iran considered them to be based on unfounded allegations.

I. Design Information

44. Contrary to its Safeguards Agreement and relevant resolutions of the Board of Governors and the Security Council, Iran is not implementing the provisions of the modified Code 3.1 of the Subsidiary Arrangements General Part to Iran's Safeguards Agreement.[44]

45. Iran last provided the Agency with a DIQ for the IR-40 Reactor in 2006, and in 2007 provided some updated information on the facility. Since that time, Iran has conducted significant additional design and construction work on the reactor, but has not provided further information, as required pursuant to modified Code 3.1 of Iran's Subsidiary Arrangements General Part. The lack of up-to-date information on

[41] S/RES/1929, paras 2 and 3.

[42] With reference to the issues raised in GOV/2011/65, Annex, para. 49.

[43] GOV/2012/9, para. 8.

[44] In accordance with Article 39 of Iran's Safeguards Agreement, agreed Subsidiary Arrangements cannot be changed unilaterally; nor is there a mechanism in the Safeguards Agreement for the suspension of provisions agreed to in the Subsidiary Arrangements. Therefore, as previously explained in the Director General's reports (see, for example, GOV/2007/22, 23 May 2007), the modified Code 3.1, as agreed to by Iran in 2003, remains in force. Iran is further bound by operative paragraph 5 of Security Council resolution 1929 (2010) to "comply fully and without qualification with its IAEA Safeguards Agreement, including through the application of modified Code 3.1".

the reactor is now having an adverse impact on the Agency's ability to effectively verify the design of the facility. In light of this, in a letter dated 2 May 2012, the Agency requested that Iran provide an updated DIQ for the IR 40 Reactor as soon as possible.

46. As previously reported,[45] Iran's response to Agency requests that Iran confirm or provide further information regarding its stated intention to construct new nuclear facilities is that it would provide the Agency with the required information in "due time" rather than as required by the modified Code 3.1 of the Subsidiary Arrangements General Part to its Safeguards Agreement.[46]

J. Additional Protocol

47. Contrary to the relevant resolutions of the Board of Governors and the Security Council, Iran is not implementing its Additional Protocol. The Agency will not be in a position to provide credible assurance about the absence of undeclared nuclear material and activities in Iran unless and until Iran provides the necessary cooperation with the Agency, including by implementing its Additional Protocol.[47]

K. Other Matters

48. As previously reported,[48] the Agency found a discrepancy of 19.8 kg between the amount of nuclear material declared by the operator and that measured by the Agency in relation to conversion experiments carried out by Iran at the Jabr Ibn Hayan Multipurpose Research Laboratory (JHL) between 1995 and 2002.[49] As a possible means of addressing the discrepancy, Iran offered to process all of the waste material and to extract the uranium contained therein. In a letter dated 3 April 2012, the Agency explained why it considered that Iran's proposal would not allow resolution of the issue and proposed an alternative method by which to address the discrepancy. Both proposals were discussed by the Agency and Iran in Tehran on 22 April 2012 and consultations are continuing.

49. Iran has continued irradiating the fuel assembly consisting of 14 fuel plates containing U_3O_8 enriched up to 20% U-235. Iran has also continued to use a fuel assembly containing 12 rods of UO_2 enriched to 3.34% U-235 as one of the control assemblies in the core of TRR. In response to a request from the Agency, Iran, in a letter dated 13 March 2012, provided the Agency with information related to the irradiation of nuclear material received from FMP. In a letter dated 19 March 2012, the Agency requested further information, as well as the TRR operator's plans for irradiating such material. The Agency has yet to receive a reply.

[45] GOV/2011/29, para. 37.

[46] GOV/2011/29, para. 37; GOV/2012/23, para. 29.

[47] Iran's Additional Protocol was approved by the Board on 21 November 2003 and signed by Iran on 18 December 2003, although it has not been brought into force. Iran provisionally implemented its Additional Protocol between December 2003 and February 2006.

[48] GOV/2011/65, para. 49.

[49] This material had been under Agency seal since 2003; GOV/2003/75, paras 20-25 and Annex 1; GOV/2004/34, para. 32, and Annex, paras 10-12; GOV/2004/60, para. 33, Annex, paras 1-7; GOV/2011/65, para. 49.

50. As previously reported,[50] Iran has provided the Agency with the commissioning schedule for the Bushehr Nuclear Power Plant (BNPP), which indicated that commissioning activity had commenced on 31 January 2012. On 22 and 23 April 2012, the Agency conducted a PIV at BNPP while the reactor was operating at 75% of its nominal power.

L. Summary

51. While the Agency continues to verify the non-diversion of declared nuclear material at the nuclear facilities and LOFs declared by Iran under its Safeguards Agreement, as Iran is not providing the necessary cooperation, including by not implementing its Additional Protocol, the Agency is unable to provide credible assurance about the absence of undeclared nuclear material and activities in Iran, and therefore to conclude that all nuclear material in Iran is in peaceful activities.[51]

52. Progress was made on a structured approach to clarifying the issues outlined in the Annex to the Director General's November 2011 report. The Director General invites Iran to expedite final agreement on the structured approach, as agreed with Mr. Jalili, in Tehran on 21 May 2012, and urges Iran to engage the Agency on the substance of the issues as soon as possible, including by providing early access to the Parchin site.

53. The Director General urges Iran, as required in the binding resolutions of the Board of Governors and mandatory Security Council resolutions, to take steps towards the full implementation of its Safeguards Agreement and its other obligations, including: implementation of the provisions of its Additional Protocol; implementation of the modified Code 3.1 of the Subsidiary Arrangements General Part to its Safeguards Agreement; suspension of enrichment related activities; and suspension of heavy water related activities.

54. The Director General will continue to report as appropriate.

[50] GOV/2012/9, para. 49.

[51] The Board has confirmed on numerous occasions, since as early as 1992, that paragraph 2 of INFCIRC/153 (Corr.), which corresponds to Article 2 of Iran's Safeguards Agreement, authorizes and requires the Agency to seek to verify both the non-diversion of nuclear material from declared activities (i.e. correctness) and the absence of undeclared nuclear activities in the State (i.e. completeness) (see, for example, GOV/OR.864, para. 49).

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Report of the Secretary-General on the situation of children and armed conflict affected by the Lord's Resistance Army

Summary

The present report was prepared pursuant to the conclusions of the Security Council Working Group on the situation of Uganda (S/AC.51/2010/1), in which the Secretary-General is requested to prepare a comprehensive report on the situation of children and armed conflict affected by the Lord's Resistance Army (LRA), with special emphasis on cross-border issues. The report, which covers the period from July 2009 to February 2012, details incidents involving the commission of six grave violations against children by LRA in the Central African Republic, the Democratic Republic of the Congo and South Sudan. They include recruitment and use, killing and maiming, sexual violence, abductions, attacks on schools and hospitals as well as the denial of humanitarian access.

The Secretary-General indicates in his report that the commission of grave violations, in particular abductions, recruitment and use of children by the armed group, as well as sexual violence continue to be a systematic characteristic of the LRA modus operandi. He also outlines the measures taken by the United Nations and its child protection partners to establish a protective environment for children in the areas affected by LRA, including through the operationalization of a regional LRA focal point system, composed of United Nations child protection actors in the Central African Republic, the Democratic Republic of the Congo, South Sudan and Uganda. The Secretary-General concludes with recommendations on the strengthening of measures to protect children against LRA, including through the African Union regional cooperation initiative on LRA.

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I. Introduction

1. The present report is submitted pursuant to the conclusions of the Security Council Working Group on the situation of Uganda (S/AC.51/2010/1), in which the Secretary-General is requested to prepare a comprehensive report on the situation of children and armed conflict affected by the Lord's Resistance Army (LRA), with special emphasis on cross-border issues. It also responds to the letter by the Chair of the Working Group, contained in the same conclusions, encouraging the country task forces on monitoring and reporting for the Central African Republic, the Democratic Republic of the Congo, the Sudan (and later, South Sudan) and Uganda to begin reporting in a more coordinated and comprehensive manner on LRA violations throughout the region.

2. The report provides information on the six grave violations against children perpetrated by LRA in the Central African Republic, the Democratic Republic of the Congo and South Sudan during the period from July 2009 to February 2012. The six grave violations are recruitment and use, killing and maiming, sexual violence, abductions, attacks on schools and hospitals, and denial of humanitarian access. It also contains information on military efforts to address the LRA threat and provides an update on actions taken by the United Nations and the Governments of the Central African Republic, the Democratic Republic of the Congo, South Sudan and Uganda to ensure the protection of children affected by LRA, including through the separation of children from the armed group, family reunification and reintegration of abducted children. It concludes with observations and recommendations on actions needed to strengthen the protection of children from LRA.

3. It should be noted that the cases described in the present report represent only those incidents which were documented by the United Nations and may not reflect the actual scale of LRA violations, given the considerable security and logistical constraints in accessing LRA-affected areas. Cases of sexual violence are believed to be particularly underreported. Opportunistic "copy-cat" attacks by other armed elements in LRA-affected areas also make it difficult to attribute attacks specifically to LRA.

4. LRA has been listed in the annex of my annual reports on children and armed conflict as a party that commits grave violations against children since 2003. As such, the armed group is considered a persistent perpetrator of grave violations against children.

II. Political and military developments

5. With an estimated strength of fewer than 500 elements, LRA continues to affect a disproportionate number of civilians. While the exact number of children associated with LRA is unknown, it is believed to be significant, given the group's practice of forcibly recruiting children. It is believed that most adults in the LRA ranks were recruited as children. Some 440,000 persons are estimated to have been displaced by LRA, both internally and across borders, since 2008. LRA operates across a vast territory of 400,000 square kilometres covering the border between the Central African Republic, the Democratic Republic of the Congo and South Sudan, and encompassing Western Equatoria and Western Bahr el-Ghazal states in South Sudan; Haut-Uélé and Bas-Uélé districts in Orientale province in the Democratic

Republic of the Congo, and Mbomou, Haut-Mbomou and, more recently, Haute-Kotto and Vakaga prefectures in the Central African Republic. Sporadic but regular attacks against the civilian population in remote and inaccessible areas have led to the death, injury and abduction of children. Recent attacks appear to be aimed at ensuring the group's survival through the pillaging of food, medicine and arms.

6. In December 2008, following the refusal of the LRA leader, Joseph Kony, to sign a peace agreement with the Government of Uganda facilitated by the Government of South Sudan and my Special Envoy for the LRA-affected areas, President Joachim Chissano, Uganda and the Democratic Republic of the Congo launched a joint military operation against the armed group known as "Operation Lightning Thunder" in Orientale province, in north-east Democratic Republic of the Congo. While these military operations dislodged LRA from parts of north-eastern Democratic Republic of the Congo, later in December 2008, it conducted deadly attacks in Faradje, Doruma and other small villages in remote areas of Orientale province, during which some 400 civilians were killed, and over 20,000 were displaced.

7. Since the official end of "Operation Lightning Thunder" in March 2009, LRA has split into small, mobile groups that operate in the Central African Republic, the Democratic Republic of the Congo and South Sudan border areas. In December 2009 LRA committed a series of attacks, allegedly killing some 300 civilians, including children, in the area of Niangara-Bangadi, in Haut-Uélé district, north-east Democratic Republic of the Congo. Attacks in the tri-border area continued in 2010 and 2011, with irregular frequency and scale. While there appears to have been a lull in alleged LRA attacks during the second half of 2011, the frequency of attacks increased in the first quarter of 2012.

8. In March 2009, with the consent of the Governments concerned, and in collaboration with the security forces of those Governments, the Uganda People's Defence Force (UPDF) began military operations against LRA in the Central African Republic, the Democratic Republic of the Congo and South Sudan. UPDF troops withdrew from the Democratic Republic of the Congo in November 2011 at the request of the Government of that country and following the increased engagement of the Armed Forces of the Democratic Republic of the Congo (FARDC) against LRA. Some FARDC units in Orientale province have received military training from the United States of America to strengthen their operations against LRA. While military operations have contributed to reducing the strength and operational capacity of LRA, they have not succeeded in eliminating the LRA threat and fully protecting civilians.

9. In October 2010 the African Union held a regional ministerial meeting on LRA in Bangui as a follow-up to the African Union Plan of Action, adopted in Tripoli in August 2009. The Bangui meeting resolved to renew regional efforts to address LRA. At a second regional ministerial meeting on LRA, held in Addis Ababa in June 2011, the African Union defined the strategic end state of African Union operations against LRA as the "elimination of the LRA, leading to the creation of a secure and stable environment in the affected countries". Subsequently, in November 2011 the African Union Peace and Security Council authorized the creation of a regional cooperation initiative on LRA, including a joint coordination mechanism and a regional task force. The regional task force, which was officially launched in March 2012, would be comprised of 5,000 troops from the Central African Republic, the

Democratic Republic of the Congo, South Sudan and Uganda, and is headquartered in Yambio, South Sudan. It is envisaged that liaison officers from the militaries of the four affected countries would work together in a Joint Information Coordination Centre in Dungu, Orientale province, Democratic Republic of the Congo, supported by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). Command and control arrangements of the regional task force in the four countries were under discussion within the African Union at the time of writing. The task force is mandated to capture the LRA leaders, protect civilians who are vulnerable to LRA attacks and promote humanitarian assistance.

10. In October 2011, in the context of the United States LRA Disarmament and Northern Uganda Recovery Act of 2009, signed into law by President Barack Obama in May 2010, the Government of the United States announced the deployment of 100 combat-equipped military advisers to central Africa to provide assistance to regional forces involved in counter-LRA operations. Deployment of the military advisers began late in 2011.

11. On 11 July 2011, the first war crimes trial of the Ugandan High Court's new International Crimes Division began in Gulu, Uganda, with the case of Thomas Kwoyelo, an LRA commander. The Division was established in 2009 by the Government of Uganda as part of its efforts to implement the 2008 Juba peace agreements between the Government and LRA. Mr. Kwoyelo had been captured in the Democratic Republic of the Congo in 2009 and was charged with 53 counts of war crimes under the Geneva Conventions Act, with alternative charges for murder, kidnapping with intent to murder, attempted murder and robbery under the Penal Code.

12. On 22 September 2011, the Constitutional Court in Kampala ruled that Mr. Kwoyelo was entitled to amnesty, in line with Uganda's Amnesty Act of 2000, which provides a blanket amnesty for those who renounce and abandon involvement in war or armed rebellion against the Government of Uganda, including for war crimes and crimes against humanity. The trial of Thomas Kwoyelo ceased in November 2011 and the trial court instructed the State to proceed with the determination of his application for amnesty in accordance with the Amnesty Act. However, the Department of the Public Prosecutor has argued that amnesty is not applicable for crimes against humanity and Mr. Kwoyelo remains in detention in Kampala.

13. The weak presence of the State in the peripheral areas affected by LRA, in particular the weakness or absence of national security forces and the judiciary, provides space for LRA to operate and contributes to insecurity. Even where armed forces and police elements are present, lack of discipline and weak capacity of security forces have led to human rights violations, incidents of corruption and lack of security for civilians.

14. A consequence of the weakness or absence of State security forces and the judiciary has been the emergence of self-defence groups, established by local communities to protect themselves against LRA, notably in South Sudan (the "Arrow Boys", also known as "Home Guards", in Western Equatoria state) and in the Central African Republic ("local self-defence groups" in Mbomou and Haut-Mbomou prefectures). These non-statutory self-defence groups are, in some locations, supported by the central Government. In South Sudan, the Sudan People's

Liberation Army (SPLA), for example, is alleged to have equipped the "Arrow Boys"/"Home Guards" with weapons. In the Central African Republic, the United Nations has received credible reports of Government support to local defence groups in the form of munitions and basic foodstuff. The emergence of these groups is of concern, given the human rights abuses and, in the case of self-defence groups in the Central African Republic — reports of the use of children. In that country, self-defence groups have been responsible for cases of arbitrary arrest and illegal detention; in South Sudan, United Nations partners have received complaints from communities regarding "Arrow Boy"/"Home Guards" elements adjudicating on civilian cases and attempting to assume the role of the State and traditional authorities.

III. Grave violations against children

15. It appears that LRA began increasingly abducting children for a short period and using them primarily as porters or as accomplices in the looting and pillaging of food and medicine. In the Central African Republic, since the beginning of 2011, LRA appears to be employing a new approach, involving the abduction of Fulani — also known as Mbororos or Peuls — herder family members and demanding ransom in the form of food, clothes or tarpaulins.

A. Recruitment and use of children

16. During the reporting period, 591 cases of recruitment of children (268 girls and 323 boys) by LRA were documented in the Central African Republic, the Democratic Republic of the Congo and South Sudan. Of these, most cases were registered in the Democratic Republic of the Congo, followed by the Central African Republic and South Sudan. It should be noted that this may reflect the greater capacity and access of the country task force and partners in the Democratic Republic of the Congo, compared to the two other countries. No cases of voluntary recruitment were documented during the reporting period. Such, cases of recruitment and use also involved the abduction of children.

17. Children reported that they were used in various capacities, as cooks, porters, guards, spies or directly in hostilities as combatants or human shields. Girls who spent a substantial period of time associated with the group reported to have been subject to sexual slavery and exploitation, including by being forcibly "married" to combatants. Some children were forced to use violence, including to kill their friends or other children in the armed group. Numerous children abducted, especially boys, reported to have received so-called magical potions from LRA leaders, which they were told would increase their physical capacities and make it possible to trace and reabduct them if they escaped.

1. Democratic Republic of the Congo

18. Most cases of recruitment of children were documented in the Democratic Republic of the Congo, where the majority of reported LRA attacks took place and where a system of mobile teams to monitor, identify, report and provide response to children who had escaped from LRA in remote locations enabled better access to information. The country task force in the Democratic Republic of the Congo

registered a total of 403 abductions of children (202 girls and 201 boys) that reportedly had occurred during the reporting period. A total of 351 children were reportedly abducted in Haut-Uélé district and 45 in Bas-Uélé district; the remaining 7 children (2 girls and 5 boys, all Sudanese) were reportedly abducted in the south of the Sudan, brought to the Democratic Republic of the Congo during their captivity and later escaped in the Democratic Republic of the Congo. Ten children remain unaccounted for. Their abduction was documented through direct testimonies. The length of association of children with LRA varied from a few weeks or months to up to two years. A trend appeared in 2010, and was more apparent in 2011, of children being abducted for very short periods (one week or a few days) to carry loot before they managed to escape or were left behind. The majority of the children (193) remained associated with LRA for one to two weeks, 96 children for about one month, 35 children for six to nine months and 79 children for nine months and up to two years.

2. Central African Republic

19. During the reporting period, the abduction of 102 children (64 boys and 38 girls), resulting from LRA attacks, were documented. Most of the abductions took place in Mbomou and Haut-Mbomou prefectures, in the villages of Sangarigou, Angou and Simango, and in Gougbéré and Banangui, respectively. Most of the children were abducted while helping their parents in agricultural or pastoralist activities. In August 2011 the leaders of the Fulani pastoralist communities, in Haut-Mbomou prefecture, reported that families of herders were often held hostage by LRA and would be released only when "ransom" was paid. From July 2009 to December 2010, 70 children who escaped from LRA reported that they had been forced to participate in the attack of other villages and had been taught the languages of their captors. Nineteen girls interviewed in transit centres reported that they had been used as cooks and shared between commanders as sex slaves. The children reported to the United Nations that they had been used to carry looted goods and perform other support tasks, such as to shell stolen peanuts. They also confirmed the presence of other children within the ranks of LRA, but could not give exact figures, as the children were dispersed in small LRA groups.

3. South Sudan

20. During the reporting period, 86 children escaped or were released from LRA captivity, including 58 boys and 28 girls from 9 to 17 years of age. Most of these children were abducted in Tambura county, in Western Equatoria state. Twenty-five of the 86 children participated in LRA raids and abductions. For example, two Congolese boys that escaped from LRA in Western Equatoria state in November 2010 reported having participated in fighting and the abduction of women and children in South Sudan during four separate incidents.

B. Killing and maiming

21. The number of documented cases of killing and maiming of children is likely to be lower than the actual number of cases, as children who escape LRA often report that other abducted children had been killed by LRA while in captivity. In the Central African Republic, the Democratic Republic of the Congo and South Sudan,

45 cases of killing and 39 cases of maiming of children by LRA, mainly conducted during LRA attacks against civilians, were documented.

22. The context in which cases of killing and maiming occurred varied from country to country. Most cases in the Central African Republic and South Sudan took place during LRA attacks on civilian settlements or during clashes with other armed actors. There was a decline in the number of documented yearly cases of killing and maiming during the calendar years of 2009 to 2011, compared to 2008. A number of factors may explain this decline, including the multidimensional protection efforts of MONUSCO and the United Nations Mission in the Sudan/the United Nations Mission in South Sudan (UNMIS/UNMISS), massive displacement of civilians fleeing LRA threat from rural areas to larger towns, the presence of armed actors — local self-defence groups or security forces — deployed to protect civilians and the lack of comprehensive documentation of cases. It should also be noted that LRA escapees have reported the death of children while in captivity, owing to illness, malnutrition, or as a reprisal for attempting to escape or defying orders.

1. Democratic Republic of the Congo

23. Eleven children were reportedly killed (6 girls and 5 boys) and 17 children maimed (11 girls and 6 boys) during the reporting period, mainly in Haut-Uélé district. Only one case of maiming was documented in Bas-Uélé district, which is explained by the lower child protection presence combined with security and logistical challenges to access the area. Cases of killing and maiming were mostly isolated incidents spread out during the reporting period with the exception of the LRA attack on Bamangana village (Haut-Uélé) on 24 February 2011, during which three children were reportedly killed and five maimed. Prior to the reporting period, cases of killing and maiming were mainly reported during the Christmas-period massacre attacks of LRA in northern Democratic Republic of the Congo in December 2008 (26 killings and 4 maimings were documented).

2. Central African Republic

24. The Central African Republic saw an apparent decline in the number of children killed or maimed during the reporting period. From August 2010 to July 2011, 7 boys were killed during attacks on villages, compared to 145 children killed in 2008 and 63 in 2009. In addition, according to an unconfirmed report, only 1 girl among 12 released by LRA in August 2011 survived in the bush after a three-month trek in search of safety. The remaining 11 girls reportedly died of illnesses, hunger and starvation.

3. South Sudan

25. In South Sudan, 27 cases of killings (16 boys, 12 to 17 years of age, and 11 girls, 14 to 18 years of age), and 22 cases of maiming (13 boys, 13 to 18 years of age, and 9 girls, 14 to 17 years of age) were documented during the reporting period. These incidents occurred in the context of LRA attacks on civilians or during clashes between LRA and UPDF, SPLA or "Home Guards".

C. Rape and other sexual violence against children

26. A total of 113 cases of sexual violence by LRA elements against girls as well as 1 case against a boy were documented during the reporting period. Sixty-eight cases were recorded in the Democratic Republic of the Congo, 27 in South Sudan and 7 in the Central African Republic. Sexual violence appears to be a systematic characteristic of the armed group's modus operandi and involves repeated rapes, including in the context of sexual slavery, as well as sexual exploitation. Underreporting, owing to the fear of stigmatization by victims, impedes a clear understanding of the magnitude of sexual violence against children.

27. Stigmatization remains a major challenge for survivors of sexual violence perpetrated by LRA, especially for girls returning with babies; their families and communities often find it difficult to accept them. Families that take in such LRA victims are often accused by their community of supporting LRA and the girls or young women escaping LRA with babies are often seen as bringing bad luck. For example, in May 2011 three Congolese girls who had escaped from LRA in South Sudan and were reunited with their families in the Democratic Republic of the Congo later returned to South Sudan because they were ostracized by their community. As a result of such stigmatization, cases of sexual violence are very difficult and sensitive to document.

28. Almost all girls abducted by LRA for a lengthy period of time have been subjected to repeated sexual violence, including by being forcibly "married" to combatants and sexually exploited. Nevertheless, in one documented case a girl was repeatedly raped by three elements of LRA after being abducted. She managed to escape the following day.

1. Democratic Republic of the Congo

29. A total of 68 cases of sexual violence against children (67 girls and 1 boy) by elements of LRA were documented during the reporting period. For instance, a 17-year-old girl was reportedly abducted by LRA in May 2010 in Haut-Uélé district and sexually exploited for two months before managing to escape during a UPDF attack on an LRA position. It is worth noting that since the beginning of 2011, most children, including girls, were abducted for only a few days to carry loot, which may explain in part the low ratio of cases of sexual violence documented among the girls abducted during the period.

2. Central African Republic

30. All of the 19 girls of Central African, Congolese, Sudanese and Ugandan nationalities who escaped from LRA on the territory of the Central African Republic from July 2009 to December 2010 gave accounts of the sexual violence to which they had been subjected. One of the girls escaped while pregnant and later gave birth in a transit centre in Bangui; another girl escaped with her two-year-old baby. The girls all reported that they had been repeatedly raped and subjected to different forms of sexual assaults, and used by various commanders as "wives". In 2011 one case of a 16-year-old girl was documented. She escaped from LRA in January, after two years in captivity, during which time she had also given birth to a baby, who later died.

3. South Sudan

31. Twenty-seven cases of sexual violence, rape and abuse of girls perpetrated by elements of LRA were documented during the reporting period. From July 2009 to December 2010, 11 girls and young mothers from 12 to 17 years of age were raped and 5 of them returned with babies resulting from sexual violence. The girls indicated that they had been raped by more than five persons every month. During the period January-August 2011, a total of 16 girls, 12 to 17 years of age, who escaped from LRA, had all been raped and/or experienced sexual abuse.

D. Abductions

32. All cases of children known to have been recruited and used by LRA were abducted. During the reporting period, 536 cases of abduction were registered. In addition, some children were abducted for ransom. For example, in the Central African Republic there are at least 12 known cases of children abducted for ransom. Many of the victims of ransom were from Fulani pastoralist communities, which often graze cattle in remote areas and are exposed to LRA attacks. Three Fulani girls interviewed by the United Nations who had been abducted in June 2011 near the Mboko river in Haut-Mbomou prefecture had been kept for about 24 hours until their father paid the ransom demanded by their abductors.

1. Democratic Republic of the Congo

33. The Democratic Republic of the Congo saw the largest number of documented abductions (403) during the reporting period, followed by South Sudan (86) and the Central African Republic (43). In addition, in the Central African Republic, the United Nations received credible reports of an additional 59 children during the reporting period, which have not been verified. While LRA activity was mainly concentrated in the Democratic Republic of the Congo, the disparity in numbers between the three countries may not be proportionally representative, given, inter alia, the stronger capacity for monitoring and reporting in LRA-affected areas in the Democratic Republic of the Congo (in particular Haut-Uélé district).

2. Central African Republic

34. In the Central African Republic, most abductions took place in Haut-Mbomou and Mbomou prefectures, in particular around the towns of Zémio (Haut-Mbomou) and Rafaï (Mbomou). Of the 102 cases documented, at least 58 cases involved Fulani children who were abducted for ransom.

3. South Sudan

35. In South Sudan, the majority of children were abducted in Tambura county; most of the abductees were boys, suggesting that they were being abducted for military use by the armed group.

E. Attacks on schools and hospitals

36. During the reporting period, two attacks against schools and one attack against a primary health-care centre were documented in South Sudan; two attacks against

schools were documented in the Democratic Republic of the Congo and no attacks were documented in the Central African Republic. It should be noted that the total number of schools attacked is not illustrative of the negative impact on children's education. LRA activity commonly keeps thousands of school-aged children from attending school owing to parental fear of further LRA attacks. In view of the fact that internally displaced persons settle in the small towns, many schools are overcrowded, lack qualified personnel and often operate without adequate resources.

1. Democratic Republic of the Congo

37. Though it is possible that attacks occurring in remote areas were not documented, no attacks against schools and health centres in the Democratic Republic of the Congo were documented from January 2009 to December 2011. However, on 20 January 2012, two schools were attacked and 10 classrooms were burned by alleged LRA elements in Faradje, Haut-Uélé district. Attacks against schools and health centres were initially part of the group's tactics in the early days of its activity in the Democratic Republic of the Congo, in 2008, during which 34 attacks against schools and 2 attacks against health centres were documented. Many children abducted during the 2008 Christmas attacks were directly targeted in schools. According to organizations that implement protection programmes in the area of the 2008 attacks (Duru, Doruma), parents were apprehensive about sending their children to school for fear of further abductions/attacks by LRA and perceived the school to be a dangerous place. Some teachers had fled Duru and Doruma, which were lacking qualified teaching personnel. The students also reported that all books and school materials had been stolen or destroyed during the attacks. In 2011 the few local schools in Duru were still functioning at full capacity but stretched beyond their means owing to a massive influx of internally displaced persons into the town following LRA attacks in 2008 and 2009. The attack against the two schools in the Faradje area in January 2012 will most likely renew the fears of the population and have long-term negative consequences on education in the area.

2. Central African Republic

38. In the Central African Republic, LRA attacks have not directly targeted schools and hospitals. However, many schools in localities in the south-east have closed down either because parents are afraid to send their children, or because teachers have been displaced, fleeing LRA attacks. It is estimated that some 3,000 children have been unable to go to school because of LRA attacks on education. In towns hosting displaced populations, such as Obo, Rafaï and Zémio, makeshift schools have been built for the children in internally displaced person camps. The schools all present serious pedagogic problems, as they are overcrowded and lack learning materials and qualified teachers.

3. South Sudan

39. In Western Equatoria and Western Bahr el-Ghazal, local authorities estimate that some 7,000 children did not have access to education during the reporting period, largely as a result of LRA activity. In 2010 two senior Government officials from the Western Equatoria state Ministry of Education were killed by LRA while delivering education services to LRA-affected communities in Tambura county. In February 2011 one school was attacked by LRA in Tambura, where five children were abducted and medical supplies from a nearby primary health-centre facility were

looted. On 18 July 2011, LRA attacked Raga county in Western Bahr el-Ghazal state, where they reportedly broke into a primary school and looted educational material. The school was still closed at the time of reporting owing to fear and insecurity.

F. Denial of humanitarian access

40. Accessibility remained the main challenge for humanitarian actors in the remote areas of the Democratic Republic of the Congo (Haut-Uélé and Bas-Uélé districts), South Sudan (Ezo, Nzara, Yambio and Tambura in Western Equatoria state) and the south-eastern region of the Central African Republic. In addition to significant logistical and communication constraints, insecurity caused by the activity of LRA in the area further reduced the mobility of humanitarian actors. While LRA directly targeted humanitarian actors in a limited number of cases, insecurity caused by its presence and attacks on the population impeded or restricted the delivery of humanitarian assistance and the conduct of monitoring and evaluation missions.

1. Democratic Republic of the Congo

41. Since the beginning of 2011, the increased number of small-scale LRA attacks in the Haut-Uélé and Bas-Uélé districts has further restricted humanitarian movements and activities. In April 2011 humanitarian actors estimated that about 25 per cent of internally displaced persons in Haut-Uélé and 45 per cent in Bas-Uélé were beyond the reach of humanitarian partners on a regular basis. Several zones, such as Duru and Bitima (north of Dungu), the north of Nambia in the territory of Niangara as well as almost all the north-western part of Doruma and the north-eastern part of Bas-Uélé were not accessible to humanitarian actors during the reporting period for both security and logistical reasons. In 2011 the number of presumed LRA attacks peaked around June and July, followed by a lull in the second half of the year. In Bas-Uélé there were no attacks registered from August to December 2011, but new attacks occurred in January 2012, indicating that the area remained volatile. Small-scale LRA attacks in Haut-Uélé and Bas-Uélé since the beginning of 2011 further restricted humanitarian movements and activities. Humanitarian agencies strove to maintain a presence in Dungu, Faradje, Niangara, Doruma, Dingila and, since the end of 2010, in Ango. In at least two cases, humanitarian actors were directly targeted by LRA. In March 2011 a convoy carrying 240 tons of food was attacked and pillaged southwards of Banda in Bas-Uélé. In April 2011 the killings of a driver and his assistant working for a private contractor hired by an international non-governmental organization (NGO) were also attributed to LRA. This prompted NGOs to suspend their activities in the area, further limiting the lifesaving assistance provided to vulnerable populations. In April MONUSCO established bases in Buta and Ango, in Bas-Uélé, to better monitor, assess and react to armed group activity in the district and help facilitate humanitarian access.

2. Central African Republic

42. Insecurity created by LRA in the south-east Central African Republic constrained humanitarian access and the delivery of aid to LRA-affected areas, impacting an estimated 3,000 children. The security problem was heightened in September 2009 when the vehicle of an international NGO was attacked by LRA. LRA attacks have caused displacement of the population to bigger towns in the

south-east and, according to humanitarian partners, there are 8,800 internally displaced persons in Haute-Kotto, 6,272 in Mbomou and 11,595 in the Haut-Mbomou prefecture, displaced by the threat of LRA. Some NGOs chose not to carry out activities outside security areas defined by local authorities, because of the requirement for a military escort and associated concerns about perception of neutrality. On 6 June 2011, LRA attacked the vehicle and killed the Health Regional Director of Mbomou prefecture and his driver, as they travelled to Obo on the Zémio-Rafaï road in Haut-Mbomou for a vaccination campaign against poliomyelitis. The vehicle was looted and burned, as a result of which 11,605 children were deprived of vaccination and have still not been vaccinated at the time of writing.

3. South Sudan

43. As of April 2012, there were some 57,000 persons displaced and 10,000 Congolese refugees living in Western Equatoria state, as a result of the LRA threat. Some 13,000 internally displaced persons returned to their communities from November 2011 to February 2012. LRA has committed violent raids on villages and the looting of public health clinics and schools has also been registered. Displacement from remote areas to more populated locations for protection has in turn put more pressure on host communities. Poor road networks and insecurity in Tambura, Ezo, Yambio and Nzara areas near the Democratic Republic of the Congo and the Central African Republic borders have also limited access to many communities by humanitarian actors, impeding delivery of assistance. It is estimated that some 30,000 children have been affected by lack of access by humanitarian actors.

IV. Follow-up on recommendations of the Secretary-General and conclusions of the Security Council Working Group, protection response and advocacy and prevention activities

A. Follow-up on recommendations of the Secretary-General and conclusions of the Security Council Working Group

44. In October 2009, in line with Security Council resolution 1882 (2009), a regional meeting was organized by the United Nations Children's Fund (UNICEF) in Nairobi to promote enhanced United Nations coordination on addressing grave child rights violations committed by LRA in the Central African Republic, the Democratic Republic of the Congo, South Sudan and Uganda. As a result of the meeting, the operational plan for cross-border repatriation, care and reunification of children escaped or rescued from the Lord's Resistance Army in the Central African Republic, the Democratic Republic of the Congo, the Sudan and Uganda, and related guiding principles, was developed. The plan established the procedures by which children formerly associated with LRA would be handed over to child protection actors, given temporary care, rehabilitated, reintegrated and, where relevant, repatriated.

45. In response to the conclusions of the Security Council Working Group on Children and Armed Conflict in Uganda (S/AC.51/2010/1), in which the Working Group encouraged the United Nations to develop a regional monitoring and reporting strategy enabling it to report in a more coordinated and comprehensive manner on grave violations against children, a United Nations child protection focal

point system was set up. Uganda was designated as the secretariat for the system and, in that context, two regional workshops were held in January 2011 and February 2012, bringing together key child protection actors in the region. At the February 2012 workshop, the elements for an LRA child protection strategy were agreed and coordination modalities between focal points in the four countries were determined, including for the harmonization of monitoring and reporting activities. In addition, actions were identified to provide support to UPDF for improving the implementation, dissemination and operationalization of the standard operating procedures for reception and handover of children separated from LRA.

B. Protection response

1. Uganda

46. During the reporting period, 106 Ugandan children (47 girls and 59 boys) were separated from LRA and were received in reception centres in northern Uganda as part of the repatriation and reunification process for LRA-affected children, managed by NGO partners with United Nations support. All children were provided with interim care, counselling, family tracing and reunification assistance, as well as, in some cases, age-appropriate vocational training. The programmes also included culture-appropriate ceremonies to reduce stigmatization and increase the social acceptance of young mothers returning with children born in captivity. In September 2010 an 11-year-old Congolese girl and a 17-year-old Sudanese boy were erroneously transported to Uganda by UPDF.

47. The UPDF practice of collaborating with former LRA combatants to assist in tracking LRA in Obo, south-east Central African Republic, has raised concerns among the local population and child protection actors. This practice has heightened distrust among the local population regarding the intent of the UPDF operations; the local population interprets the use of former LRA combatants as a form of collusion between UPDF and LRA, rather than as a component of counter-LRA military operations. The use of former LRA combatants also undermines accountability for possible crimes committed by such individuals.

48. In May 2011 the UPDF Chief of Defence Forces signed the standard operating procedures for reception and handover of children separated from LRA. In accordance with the standard operating procedures, UPDF forces in the Democratic Republic of the Congo, the Central African Republic and South Sudan are to alert the United Nations on the presence of children formerly associated with LRA in UPDF custody within 48 hours and to hand over such children to UNICEF, or another designated United Nations or humanitarian agency within seven days of receiving them. The procedures set a precedent for national security forces in the Central African Republic, the Democratic Republic of the Congo and South Sudan, and are an example of the constructive partnership between UPDF and the United Nations. Training in the implementation of the standard operating procedures was provided by the UPDF Human Rights Directorate, with the support of UNICEF, to 450 UPDF troops deployed in the Democratic Republic of the Congo and 300 troops in the Central African Republic. To ensure the full implementation of the procedures, all troops participating in counter-LRA operations should undergo relevant comprehensive predeployment training, and UPDF is encouraged to enforce full compliance within its ranks, to ensure that all children, including Ugandan nationals,

are handed over to child protection actors within the time frame set out in the procedures.

2. Democratic Republic of the Congo

49. In light of the large number of child victims of LRA that have self-reintegrated in the Haut-Uélé and Bas-Uélé districts, a community-based approach to identify such children has been put in place by UNICEF partners operating in the area. An innovative approach established in 2010, it involves mobile teams composed of social workers and child protection officers, enabling the child protection programme to reach more children in remote areas on a regular basis. Since 2010, an average of 63 children per month in need of protection (both children who escaped LRA and unaccompanied children) have been identified. Since the inception of the programme for children associated with armed forces and groups in Haut-Uélé in December 2008, 2,019 children (914 girls and 1,105 boys) who were separated from LRA have been assisted, as of 31 December 2011. All children were provided with medical screening and care, psychosocial support, response to sexual violence and abuse, family tracing and temporary care; family/community reintegration assistance was provided when possible or appropriate, depending on security in the area and in accordance with the best interests of the child. A network of 205 trained and supported foster families in Haut-Uélé provide temporary care and protection for children. Eight shelter centres provide child protection services and activities for children; an average of 157 children (43 per cent of whom are girls) participate in these activities at each centre. Of 2,019 children assisted by UNICEF partners, 43 foreign children (36 Sudanese and 7 Ugandan children) were repatriated during the reporting period (1 child in 2008, 21 in 2009, 4 in 2010, 12 in 2011).

50. MONUSCO also has some 1,200 troops based in Haut-Uélé and Bas-Uélé with the aim of protecting civilians, including children, in the two districts. To this end, MONUSCO engaged in targeted operations involving the establishment of forward operating bases from which it conducted day and night patrols and carried out a range of additional protection activities, including market escorts and escorting farmers to their fields. In addition, military engineer units rehabilitate roads to open up key axes in support of the delivery of humanitarian assistance, including roads from Dungu to Faradje and from Dungu to Duru. Moreover, MONUSCO encourages LRA combatants to defect and enter the Mission's disarmament, demobilization, repatriation, resettlement and reintegration programme. This action includes producing leaflets in local languages distributed in the affected areas and providing support for radio broadcasts to encourage surrenders, including by children.

3. Central African Republic

51. From July 2009 to February 2012, 27 children (7 boys and 20 girls) of Congolese (18), South Sudanese (8) and Ugandan nationalities (1) were repatriated and reunified with their families. The children benefited from prior interim care in transit centres managed by UNICEF partners in Bangui, where they received medical attention, education and family tracing, which made repatriation and reunification possible. UNICEF, through its NGO partner, provided gender-based violence and psychosocial support programming for 1,300 vulnerable children affected by LRA in Rafaï. A total of 2,689 children (990 girls and 1,699 boys) in Rafaï and Bangassou received school kits during the reporting period. UNICEF began a partnership with an NGO on a similar project in Obo, Zémio and Mboki in the Haut-Mbomou

prefecture. The NGO partner provided psychological care and psychosocial assistance to 38 children (23 girls and 15 boys). Of the 38 children in the NGO programmes, 16 received individual psychological support in addition to other community-wide and collective assistance.

4. South Sudan

52. During the reporting period, 222 children and young persons (116 boys and 106 girls, from 9 to 17 years of age at the time of their abduction) were separated from LRA. Of those children, 123 (32 girls and 91 boys), comprising 32 Ugandans, 84 Congolese and 7 Central Africans, were reunified with their families or caregivers, while the remaining 89 were children of South Sudanese origins and were reunified with their families in Western, Eastern and Central Equatoria states. For example, of 10 children who were separated in February 2011, 5 girls and 2 boys from 12 to 16 years of age were found to be Congolese and were later repatriated to the Democratic Republic of the Congo. The remaining three South Sudanese children were successfully reunited with their families in South Sudan. In 2011 56 South Sudanese and Congolese children benefited from assistance in the child protection transit centre in Yambio. The reintegration of former abductees is challenged by stigmatization. Follow-up visits by the Ministry of Social Development and NGOs to children formerly associated with LRA indicate that some Congolese children returned to South Sudan even after they had been successfully reunited with their families in the Democratic Republic of the Congo. In May 2011 eight boys from 11 to 17 years of age, and three girls, 15, 17 and 18 years of age, returned to Ezo county, Western Equatoria state, where they were fostered with Congolese families in the refugee camp.

C. Advocacy and prevention activities

1. Uganda

53. In November 2009 a training session on "child rights and child protection in situations of armed conflict within the return and reintegration context and United Nations Security Council resolution 1612 (2005)" was organized by the UPDF Human Rights Department and the agency responsible for return and reintegration in northern Uganda. Sixty UPDF army officers were familiarized with the major legal instruments covering child rights and child protection, with the aim of clarifying their responsibilities and obligations towards children in accordance with those laws. The training also included Government directives prohibiting the recruitment of children and information on discipline and criminal procedures as well as procedures for the handling of children returning from LRA.

54. In 2012 UPDF requested the provision of continued United Nations support for the roll-out of the standard operating procedures.

2. Democratic Republic of the Congo

55. In November 2010 a training session for 64 FARDC officers based in Haut-Uélé and Bas-Uélé was organized by the Child Protection Working Group in Dungu. At the end of the session, the trained FARDC officers signed a "Commitment Act", thus committing themselves to contribute actively to the respect of human/child rights and the protection of children, and to cooperate with humanitarian actors. In

February 2011 training in the monitoring of child rights violations, in accordance with Security Council resolution 1612 (2005), was organized by child protection actors for partners of the Office of the United Nations High Commissioner for Human Rights (OHCHR) implementing the protection monitoring in Haut-Uélé and Bas-Uélé. In July 2011 another training session on the monitoring and reporting mechanism under the resolution was organized for members of the Education and Protection Clusters.

56. Child protection actors also conducted several advocacy démarches with FARDC and UPDF officials for the release of children escaping from LRA, to remind FARDC of their commitment not to use children to gather intelligence on LRA and to transfer the children to child protection actors. Moreover, in June 2011 an "advocacy forum" was established with FARDC, with the participation of the United Nations Joint Human Rights Office, OHCHR, the Office for the Coordination of Humanitarian Affairs and the MONUSCO Child Protection Section to discuss cases of human/child rights violations committed by FARDC, including against children who escaped from LRA.

57. Community-based prevention mechanisms were strengthened in eight localities in Haut-Uélé and Bas-Uélé. In each locality a community-based child protection committee was identified and provided with support. Fifty-two staff from nine local NGOs are being provided with support to identify child protection cases, furnish immediate referrals and strengthen the protective environment for children. Over 52,000 people have been reached through awareness-raising activities to improve child protection. In October 2010 a workshop that included 22 representatives of State institutions among the 47 participants, including school administrators, developed and signed a list of engagements for child protection in Dungu.

3. Central African Republic

58. In December 2010 UNICEF organized a training-of-trainers session for 25 officers of the forces of defence and security (Central African Armed Forces (FACA) and police) on the rights and protection of children before, during and after armed conflict.

59. On 2 August 2011, UNICEF organized a training session in Zémio for members of civil society, local representatives of the Government, religious leaders and security forces (FACA and gendarmerie) on the six grave violations of children's rights in situations of armed conflicts and on the monitoring and reporting mechanism. Emphasis was placed on the principle of confidentiality.

60. On 25 August 2011, the UNICEF monitoring and reporting mechanism team organized a training session on the six grave violations of children's rights in situations of armed conflicts and on the code of conduct for the military, at the UPDF base in Obo. The session was attended by 40 UPDF soldiers, the Secretary-General of the mayor's office and a national NGO official representing civil society.

4. South Sudan

61. On 29 June 2011, UNICEF supported the training of 21 child protection partners on the monitoring and reporting mechanism in Yambio. The training has strengthened the monitoring of violations in LRA-affected areas. In addition, the South Sudan United Nations focal points on LRA facilitated a meeting between

different child protection stakeholders and UPDF in Western Equatoria state on the standard operating procedures. In August 2011 members of the Child Protection Working Group in that state held a meeting with the UPDF high command in Nzara, at which they reviewed and revised the South Sudan operational plan agreed upon at the October 2009 Nairobi meeting, and agreed on a process for information-sharing and common procedures with UPDF for the repatriation and/or handover of children associated with LRA.

62. The Government of South Sudan, under the leadership of the South Sudan Disarmament, Demobilization and Reintegration Commission, with the support of the United Nations and in collaboration with the Ministry of Defence and other line ministries, has developed a new disarmament, demobilization and reintegration policy and strategy for six years (2012-2017). The policy document, officially launched in August 2011, incorporates provisions for specific support to former fighters, including children on foreign soil, such as the LRA abductees. This is a positive development, since the previous Government disarmament, demobilization and reintegration framework excluded provision of support for the release and reintegration of former LRA combatants entirely.

V. Observations and recommendations

63. I am deeply concerned by the persistent perpetration of grave violations against children by LRA, nine years after the party was listed in my annual report on children and armed conflict. LRA continues to pose a significant threat not only to children, but also to the civilian population at large and has forced 45,000 persons in the region to leave their homes. While the number of children killed or maimed by LRA in 2010-2011 appears to have decreased compared to previous years, the ongoing abduction and forced recruitment of children, as well as the systematic rape and sexual exploitation of captive girls, is egregious and unacceptable.

64. All efforts must be made to bring an end to these violations. In this regard, I am encouraged by the renewed international attention paid to the question of LRA and the development of a multidimensional and coordinated approach to addressing the threat posed by the armed group, manifested, inter alia, through the establishment of the African Union regional cooperation initiative as well as the development of a joint United Nations-African Union regional strategy requested by the Security Council in its presidential statement of 14 November 2011 (S/PRST/2011/21).

65. In developing and implementing the regional strategy to address the threat and impact of LRA, I encourage civilian and military actors to take into account a number of considerations. Firstly, all military efforts to address LRA, including those of regional security forces and the African Union Regional Task Force, must place the protection of civilians and compliance with international humanitarian, human rights and refugee law, front and centre. To the extent possible, the association of children with LRA in non-combat roles should be factored into the concept of operations and rules of engagement of military actors to ensure compliance with the principle of distinction.

66. Secondly, the progress made by UPDF in establishing standard operating procedures for the reception and handover of LRA children to civilian child protection actors should be built upon and strengthened. In this regard, I encourage

FACA, FARDC and SPLA, in their national capacity as well as under the African Union Regional Task Force, to adopt and implement similar handover procedures in their operations. UPDF is also encouraged to ensure full implementation of the existing standard operating procedures, including provisions related to the UPDF debriefing of children separated from LRA. To this end, United Nations child protection actors stand ready to provide comprehensive predeployment training on child protection to all military units that would be engaged in counter-LRA operations. The African Union Regional Task Force is encouraged to recruit and deploy a child protection adviser to Yambio to ensure adequate mainstreaming of child protection issues in the Task Force.

67. Thirdly, more must be done to combat impunity for LRA perpetrators of grave violations against children. While the amnesty law in Uganda has contributed to the separation of thousands of children forcefully recruited by LRA, I echo the concerns of the Committee on the Rights of the Child, in its concluding observations on Uganda (CRC/C/OPAC/UGA/CO/1), that the criteria for granting amnesties are not in compliance with the international legal obligations of the State party (Uganda), notably the Rome statute of the International Criminal Court. I urge Uganda, as well as other States in the region, to ensure that their penal codes are in line with international legal obligations with regard to accountability for grave violations against children, notably the Rome statute of the International Criminal Court.

68. In the context of regional activities aimed at encouraging defections from LRA, a balance must be struck between, on the one hand, providing incentives to children and adults to leave the armed group, and, on the other, ensuring that justice is served. In this regard, I discourage the adoption of explicit amnesty laws at the expense of accountability for war crimes and crimes against humanity.

69. Fourthly, the regional strategy to address the LRA threat cannot succeed without adequate resources. Donors are encouraged to provide support to services aimed at supporting the long-term reintegration of children separated from LRA, in line with the Paris Principles. While activities in this respect are ongoing, more can be done to identify children at the community level who managed to escape from LRA and to ensure that they are provided with appropriate support. Service providers have highlighted the particular need for reintegration support that targets community acceptance of children formerly associated with LRA, who are frequently stigmatized. Donor support would also be required to provide fuller geographical coverage of reintegration assistance throughout the LRA-affected region, in particular in south-east Central African Republic, and the Bas-Uélé district in north-east Democratic Republic of the Congo.

70. I am also concerned by the ripple effects of LRA activities. Two effects are worth noting. The weak presence of State security forces in the border region has contributed to the creation of self-defence groups in the Central African Republic and South Sudan. These unregulated armed groups have reportedly been responsible for exactions against the community and, in the case of the Central African Republic, are alleged to have children in their ranks. Separately, the Mbororo pastoralist ethnic group (also known as Fulani, or Peul), which is present in the LRA area of operations, has become vulnerable not only to LRA attacks — as manifested by the cases of abduction described in the present report — but also to stigmatization by other ethnic groups in the region, who presume their association with LRA as a result of their nomadic way of life. I urge concerned States to expand the rule of law

to LRA-affected areas and encourage donors to provide support for such efforts, including through long-term peacebulding activities.

71. I encourage the Security Council, through its Working Group on Children and Armed Conflict, to remain seized of the impact of the Lord's Resistance Army on children and, in this regard, I recommend that the Working Group continue to receive reports on the situation of children affected by LRA, until such a time that LRA ceases to pose a threat.

72. Lastly, I would like to express my particular appreciation for the child protection officers of UNICEF and the United Nations missions in the region, whose efforts, in terms of advocacy, monitoring, reporting and response, have meant that children associated with, and separated from, LRA have been provided with sustained support and assistance.